

Registered Federal Order

THURSDAY, NOVEMBER 17, 1977



highlights

SUNSHINE ACT MEETINGS..... 59471

FEDERAL CASH MANAGEMENT

Presidential memorandum..... 59365

SALE OF DEFENSE ARTICLES TO TURKEY

Presidential determination..... 59363

AIRPORT DEVELOPMENT AID AND PLANNING GRANT PROGRAMS

DOT/FAA publishes interim procedures (2 documents);
effective 11-17-77; comments by 1-16-78 (Part II of
this issue)..... 59476, 59477

ANTIDUMPING

Treasury terminates investigation regarding rubber
thread from Italy..... 59439

EARTHQUAKES

NSF announces that additional FY 78 funds have been
allocated to augment on-going fundamental research
program; proposals by 3-1-78..... 59434

EMPLOYMENT RETIREMENT INCOME SECURITY ACT OF 1974

PBGC issues final rule on payment of pension plan
premiums; effective 11-17-77..... 59385

EXCHANGE-VISITOR PROGRAM

State implements rules pursuant to Health Professions
Educational Assistance Act; effective 1-10-78..... 59379

FEDERAL COAL LEASING PROGRAM

Interior/BLM solicits comments by 1-31-78 on final
environmental statement..... 59424

FISHERY CONSERVATION AND MANAGEMENT

State issues applications for permits to fish off coasts
of the United States from Japan (Part III of this issue).... 59482

MEDICAL GRANTS

HEW/PHS announces 12-7-77 as closing date
for receipt of grant applications for Training of Physician
Assistants and U.S. Citizen foreign Medical Students (2
documents) 59420

CONTINUED INSIDE

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/COAST GUARD	USDA/ASCS		DOT/COAST GUARD	USDA/ASCS
DOT/NHTSA	USDA/APHIS		DOT/NHTSA	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/OHMO	USDA/FSQS		DOT/OHMO	USDA/FSQS
DOT/OPSO	USDA/REA		DOT/OPSO	USDA/REA
	CSC			CSC
	LABOR			LABOR
	HEW/ADAMHA			HEW/ADAMHA
	HEW/CDC			HEW/CDC
	HEW/FDA			HEW/FDA
	HEW/HRA			HEW/HRA
	HEW/HSA			HEW/HSA
	HEW/NIH			HEW/NIH
	HEW/PHS			HEW/PHS

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

Note: As of Nov. 3, 1977, Food Safety and Quality Service (USDA) documents are being assigned to the Tuesday/Friday schedule.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

federal register

Phone 523-5240

Area Code 202



Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$5.00 per month or \$50 per year, payable in advance. The charge for individual copies is 75 cents for each issue, or 75 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

INFORMATION AND ASSISTANCE

Questions and requests for specific information may be directed to the following numbers. General inquiries may be made by dialing **202-523-5240**.

FEDERAL REGISTER, Daily Issue:

Subscription orders (GPO).....	202-783-3238
Subscription problems (GPO).....	202-275-3050
"Dial - a - Regulation" (recorded summary of highlighted documents appearing in next day's issue).	202-523-5022
Scheduling of documents for publication.	523-3187
Copies of documents appearing in the Federal Register.	523-5240
Corrections	523-5237
Public Inspection Desk.....	523-5215
Finding Aids.....	523-5227
Public Briefings: "How To Use the Federal Register."	523-3517
Code of Federal Regulations (CFR)...	523-3419
	523-3517
Finding Aids.....	523-5227

PRESIDENTIAL PAPERS:

Executive Orders and Proclamations.	523-5286
Weekly Compilation of Presidential Documents.	523-5284
Public Papers of the Presidents....	523-5285
Index	523-5285

PUBLIC LAWS:

Public Law dates and numbers.....	523-5266
	523-5282
Slip Laws.....	523-5266
	523-5282
U.S. Statutes at Large.....	523-5266
	523-5282
Index	523-5266
	523-5282
U.S. Government Manual.....	523-5287
Automation	523-5240
Special Projects.....	523-4534

HIGHLIGHTS—Continued

PRIVACY ACT OF 1974

ACTION publishes additional system of records; comments by 12-16-77.....	59392
Justice/Attorney General publishes additional system of records; comments by 12-19-77.....	59432

MEETINGS—

Interior/NPS: Western Regional Advisory Committee, 12-10-77	59430
State: Shipping Coordinating Committee, Subcommittee on Safety of Life at Sea, 12-9-77.....	59439
USDA/FS: National Forest Management Act Committee on Scientists, 12-1 thru 12-3-77.....	59392

contents

THE PRESIDENT

Memorandums

Federal cash management.....	59365
Turkey; sale of defense articles.....	59363

EXECUTIVE AGENCIES

ACTION

Notices

Privacy Act; systems of records...	59392
------------------------------------	-------

AGRICULTURAL MARKETING SERVICE

Rules

Lettuce grown in So. Tex.....	59373
Oranges, grapefruit, tangerines, and tangelos grown in Fla. (2 documents).....	59367
Oranges (naval) grown in Ariz. and Calif. (2 documents).....	59372

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Forest Service.

ARTS AND HUMANITIES, NATIONAL FOUNDATION

Notices

Meetings:	
Research Grants Panel Advisory Committee.....	59434

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:	
El Al Israel Airlines Ltd. et al.....	59393
Transatlantic super-APEX fares.....	59395

COMMERCE DEPARTMENT

See Domestic and International Business Administration; Maritime Administration.

COMMUNITY PLANNING AND DEVELOPMENT, OFFICE OF ASSISTANT SECRETARY

Proposed Rules

Community development block grants:	
Eligible activities, entitlement grant applications, and urban development action grants; extension of time; correction.....	59390

CUSTOMS SERVICE

Notices

Trade name recordation applications:	
Bohn Rex-Rotary.....	59439

DEFENSE DEPARTMENT

See Navy Department.

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Notices

Scientific articles; duty free entry:	
Methodist Hospital et al.....	59395
Northwestern University Medical School et al.....	59397

ECONOMIC REGULATORY ADMINISTRATION

Notices

Appeals and applications for exception, etc.; cases filed with Administrative Review Office:	
List of applicants, etc.....	59400

EDUCATION OFFICE

Notices

Applications and proposals, closing dates:	
Basic educational opportunity grant program.....	59419

EMPLOYMENT AND TRAINING ADMINISTRATION

Notices

Employment transfer and business competition determinations; financial assistance applications.....	59433
---	-------

ENERGY DEPARTMENT

See Economic Regulatory Administration; Federal Energy Regulatory Commission.

FEDERAL AVIATION ADMINISTRATION

Rules

Airport aid program:	
OMB Circular A-95, implementation.....	59476
Airworthiness directives:	
Beech.....	59374
McDonnell Douglas.....	59375
Piper.....	58376
Schwiezer.....	59377
Reporting points and VOR Federal airways.....	59377
Standard instrument approach procedures.....	59377

Proposed Rules

Noise standards:	
SST noise and sonic boom requirements; hearing.....	59388
Transition areas (2 documents).....	59389

Notices

Airport aid programs; coordination with State and local programs; procedures; implementation of OMB Circular A-95.....	59477
--	-------

FEDERAL COMMUNICATIONS COMMISSION

Notices

Hearings, etc.:	
Western Union Telegraph Co.....	59418

FEDERAL ENERGY REGULATORY COMMISSION

Notices

Hearings, etc.:	
Anderson Oil Co.....	59404
Art Machin & Associates, Inc.....	59405
Carolina Power & Light Co.....	59405
Columbia Gas Transmission Corp.....	59406
El Paso Electric Co.....	59407

Empire District Electric Co.....	59407
Exxon Corp.....	59402
Florida Power & Light Co.....	59408
Gulf Energy & Development Corp.....	59408
Iowa Southern Utilities Co.....	59409
Montana Dakota Utilities Co.....	59409
National Fuel Gas Supply Corp.....	59409
New England Power Co.....	59410
Panhandle Eastern Pipe Line Co.....	59411
Public Service Co. of Oklahoma.....	59410
Sea Robin Pipeline Co.....	59410
Southern Natural Gas Co. et al.....	59412
Tennessee Gas Pipeline Co. et al.....	59412
Sun Oil Co.....	59412
Transcontinental Gas Pipe Line (3 documents).....	59413, 59414
Corp. (2 documents).....	59415
Trunkline Gas Co. (2 documents).....	59416
Transwestern Pipeline Co.....	59416
Valley Gas Transmission Co.....	59416
Wisconsin Public Service Corp.....	59418

FEDERAL MARITIME COMMISSION

Notices

Freight forwarder licenses:	
American Oceanair Express, Inc.....	59417

FEDERAL RESERVE SYSTEM

Notices

Applications, etc.:	
Eicher Bancorporation.....	59418
First National Charter Corp.....	59418
First National McCook Co.....	59418
Hamlin Financial Corp.....	59419

FISH AND WILDLIFE SERVICE

Rules

Hunting:	
Sevilleta National Wildlife Refuge, N. Mex.; correction.....	59387

Notices

Environmental statements; availability, etc.:	
Lava Beds National Monument et al., Calif.....	59427
Lower Klamath and Tule Lake National Wildlife Refuges et al., Calif.....	59427

FOREIGN-TRADE ZONES BOARD

Notices

Foreign-trade zone applications:	
Allegheny and Westmoreland Counties, Pa.....	59398

FOREST SERVICE

Rules

Land uses; electric power transmission lines; rights of way.....	59386
--	-------

Notices

Environmental statements; availability, etc.:	
Lewis and Clark National Forest, Rocky Mountain Front Planning Unit Land Management Plan, Mont.....	59393

CONTENTS

Lincoln National Forest, Eagle Creek Dam and Reservoir, N. Mex. 59392

Meetings:
Committee of Scientists 59392

GENERAL SERVICES ADMINISTRATION

Notices

Property management regulations, temporary:
Authority delegations to Defense Department Secretary 59419
Automatic data processing equipment, excess; care and management 59419

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Education Office; Public Health Service.

Notices

Program results:
Psychological well-being and effects of manpower training programs, relationship; detailed analysis 59420

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Community Planning and Development, Office of Assistant Secretary.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau; National Park Service.

INTERNATIONAL TRADE COMMISSION

Notices

Import investigations:
Railway track maintenance equipment from Austria 59430

INTERSTATE COMMERCE COMMISSION

Rules

Railroad car service orders:
Hopper cars, substitution 59386
Railroad car service orders; various companies:
Octoraro Railway, Inc. 59386

Notices

Motor carriers:
Transfer proceedings 59440
Petitions, applications, finance matters (including temporary authorities), railroad abandonments, alternate route deviations, and intrastate applications 59440

JUSTICE DEPARTMENT

Rules

Organization, functions, and authority delegations:
Associate Attorney General; editorial changes, etc. 59384

Notices

Privacy Act; systems of records 59432
Pollution control; consent judgments; U.S. versus listed companies, etc.:
Ralston Purina Co. 59432

LABOR DEPARTMENT

See Employment and Training Administration.

LAND MANAGEMENT BUREAU

Notices

Alaska native selections; applications, etc.:
Natives of Akhiok, Inc. 59422
Applications, etc.:
Arizona 59424
Colorado (5 documents) 59425
New Mexico 59426
Wyoming 59427
Environmental statements; availability, etc.:
Federal Coal Leasing Program; inquiry 59424
Withdrawal and reservation of lands, proposed, etc.:
Utah 59427

MARITIME ADMINISTRATION

Notices

U.S. Flag Merchant Vessel Locator Filing System (USMER), sailing route data and vessel speed 59399

NATIONAL PARK SERVICE

Notices

Authority delegations:
Delaware Water Gap National Recreation Area, Pa., Administrative Officer, et al. 59428
Field Land Acquisition Officers. 59428
Kings Mountain National Military Park, Administrative Services Assistant. 59428
Mammoth Cave National Park, Ky., Administrative Officer, et al. 59428
Southeast Region, Superintendents, et al. 59428
Environmental statements; availability, etc.:
Lava Beds National Monument et al., Calif. 59427
Meetings:
Western Regional Advisory Committee 59430

NATIONAL SCIENCE FOUNDATION

Notices

Committees; establishment, renewals, terminations, etc.:
Very Large Array Ad Hoc Advisory Panel 59434
Earthquake research, 1978 FY funds allocated 59434

NATIONAL TRANSPORTATION SAFETY BOARD

Notices

Safety recommendations and accident reports; availability, responses, etc. 59437

NAVY DEPARTMENT

Notices

Environmental statements; availability, etc.:
National Parachute Test Range (NPTR) Mission, relocation to Naval Weapons Center, China Lake, Calif. 59400

NUCLEAR REGULATORY COMMISSION

Notices

Committee; establishment, renewals, terminations, etc.:
Atomic Safety and Licensing Board 59435
Regulatory guides; withdrawal 59436
Applications, etc.:
Baltimore Gas & Electric Co. 59434
Boston Edison Co. 59435
Polytechnic Institute of New York 59436
Sylvester, J. G., Inc. 59435
Toledo Edison Co. et al. 59436

PENSION BENEFIT GUARANTY CORPORATION

Rules

Premiums, declaration and payment under ERISA 59385

POSTAL SERVICE

Notices

Rates and fees:
Environmental negative declaration inquiry correction 59439

PUBLIC HEALTH SERVICE

Notices

Grants:
Foreign medical U.S. citizen student training; applications 59420
Physician assistants training programs; applications 59420
Health professions capitation grant program; eligibility of medical schools 59421

STATE DEPARTMENT

Rules

International educational and cultural exchange:
Exchange-visitor program 59379

Notices

Fishing permits, applications:
Japan and Romania 59484
Meetings:
Shipping Coordinating Committee 59439

TEXTILE AGREEMENTS IMPLEMENTATION COMMITTEE

Notices

Man-made textiles:
Philippines 59399

TRANSPORTATION DEPARTMENT

See Federal Aviation Administration.

TREASURY DEPARTMENT

See also Customs Service.

Notices

Antidumping:
Rubber thread from Italy 59439

VETERANS ADMINISTRATION

Proposed Rules

Adjudication; pensions compensation, dependency, etc.:
Automobile allowance, payment 59390

CUMULATIVE LIST OF PARTS AFFECTED DURING NOVEMBER

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during November.

1 CFR		7 CFR—Continued		14 CFR—Continued	
Ch. I	57115	1488	57949	288	58902
PROPOSED RULES:		1822	59042, 59052	296	57326
461	57463	1901	57118, 58736	378a	58515
3 CFR		1955	57684	399	58913
PROCLAMATIONS:		2855	57300	1245	57449
4434 (Amended by Proc. 4539)	59039	2856	57301	PROPOSED RULES:	
4463 (Amended by Proc. 4539)	59039	2858	57301	21	59089, 59388
4466 (Amended by Proc. 4539)	59039	2870	57301	36	59089, 59388
4535	58397	PROPOSED RULES:		39	57968, 58538
4536	58729	46	59088	47	57968
4537	59035	272	57694	71	57468-57470,
4538	59037	728	59089	57969-57971, 58539-58541, 58956,	
4539	59039	725	57131	58957, 59389	
4540	59261	905	57694	73	58957
EXECUTIVE ORDERS:		929	58532	75	57971
10631 (Amended by EO 12017)	57941	945	58951	91	57470, 57968, 59089, 59388
11476 (Amended by EO 12018)	57943	989	57131, 58759	302	57132
11835 (See EO 12018)	57945	1030	57319	15 CFR	
12016	57297	1133	57466	16	57686
12017	57941	1435	58759	376	57454
12018	57943	1464	57319, 57466, 58414	PROPOSED RULES:	
12019	57945	1701	57694	904	58958
12020	58509	1901	58532	16 CFR	
MEMORANDUMS:		9 CFR		2	58518
August 27, 1976 (Supplemented by		73	57118	13	57302-57304, 57455, 58518
Memorandum of November 5,		78	57118	1012	57121, 58399
1977)	59363	92	57121	1105	58400
November 19, 1976 (Supplemented		97	59062	1607	57961
by Memorandum of November 5,		39	57445, 57121	PROPOSED RULES:	
1977)	59363	362	57121	444	57973
July 21, 1977 (Supplemented by		10 CFR		1013	57133
Memorandum of November 5,		210	57320, 57326	1115	57133
1977)	59363	211	57320, 57326	1116	57133
November 5, 1977	59363	212	57320, 57326	1120	57642
November 14, 1977	59365	12 CFR		1145	57642
5 CFR		201	57302	1402	57134
213 (3 documents)	57115-57117,	213	58737	1500	58959
57683, 58151, 58152, 58731		217	57950	17 CFR	
7 CFR		226	58163	211	57455
6	57117	303	57685	270	58400
12	57683	701	57685	PROPOSED RULES:	
271	58152-58158	PROPOSED RULES:		1	58542
401	58929	204	58760	166	58542
406	57299	213	58760	210	57652
409	57299	528	58182, 58953	231	58676
654	58159	531	58953	239	58677
722	58731	545	57131	240	58181, 58684, 59280
726	58731	13 CFR		241	58684
780	58162	317	57685	249	58414, 58684
905	57947, 59367	PROPOSED RULES:		18 CFR	
906	57299	120	58538	3	58737
907	59372	14 CFR		260	58737
910	57684, 58733	39	57445, 57951, 58511-58515, 58929	19 CFR	
915	58511	57951, 58511-58515, 58929, 59374-		4	59063
927	59041	59377		153	57122
929	58733	71	57445, 57446, 57952, 58515, 58930, 58931, 59377	PROPOSED RULES:	
931	57117	91	57446	101	59090
944	57947	95	57952	20 CFR	
966	57445	97	57448, 59377	422	58403
971	58399, 59373	152	59476	PROPOSED RULES:	
982	58733	243	58902	616	57252
984	57948	248	59063	618	57256
989	57683	250	57326		
1030	59041				
1435	58734				
1453	57948				

FEDERAL REGISTER

21 CFR

5	58738
16	58889
20	58889
25	58889
81	57686, 59064
176	59065
193	58738
444	58739
446	59065
452	59068
520	59068
522	58167
524	58741
561	58738
813	58889
1020	58167
1250	57122
1308	58741
1316	57456

PROPOSED RULES:

101	59091
131	58181
146	58761
182	58763
184	58763
186	58763
207	57137
444	58766
501	59091
601	58266
607	57137
610	58266
807	57137

22 CFR

9A	57687
63	59379

PROPOSED RULES:

51	57138
----	-------

23 CFR

11	59069
160	59263

PROPOSED RULES:

628	58542
-----	-------

24 CFR

7	58932
201	57431
203	57433
220	57435
221	57435
222	57435
234	57435
235	57436
841	57305, 58932
885	57439
1914	59002
1915	59003
1917	57408-57414, 57852-57859, 58008-58016, 58494-58503, 59196
1920	58503-58506

PROPOSED RULES:

201	57327
570	58960, 59390
880	57632
881	57632
882	57416
883	57633, 57634
1917 (3 documents)	57133-57140, 58660-58673, 58866-58870, 59197-59210

25 CFR

256	58744
-----	-------

26 CFR

1	57122, 57309-57312, 58934
25	58935
48	58935
154	58935
404	58935
601	58935

27 CFR

PROPOSED RULES:

170	57471
194	57471
201	57471

28 CFR

0	57457, 59384
---	--------------

29 CFR

Ch. IV	59070
100	59263
519	58744
602	57687
603	57688
615	57688
1902	58745
1952	57123, 58746
2602	59385
2606	59071

PROPOSED RULES:

30	57140, 58766
1910	57266
1952	57140
2617	59285

30 CFR

PROPOSED RULES:

11	59294
70	59294
71	59294
75	59294, 59300
90	59294

31 CFR

341	57123
515	58518

PROPOSED RULES:

Subtitle A	57973
------------	-------

32 CFR

203	57123
276	59072
356	57312
724	59074

32A CFR

134	57457
-----	-------

33 CFR

86	57648
87	57648
91	57650
110	58519
117	58936
135	57650
136	57650
207	57961, 58519

PROPOSED RULES:

117	58960
164	59012
173	58722
174	58722

33 CFR—Continued

PROPOSED RULES—Continued

207	58960
208	57141

36 CFR

251	59386
327	59076
328	59076

PROPOSED RULES:

264	59092
-----	-------

37 CFR

201	59264
-----	-------

PROPOSED RULES:

202	59302
-----	-------

38 CFR

PROPOSED RULES:

2	57328
3	59390
21	57328

39 CFR

111	58169
241	59082
245	59082
246	59082
247	59082
248	59085
259	58170
265	59085

40 CFR

52	57124, 57459, 58171, 58405, 58519
60	57125
415	58747

PROPOSED RULES:

51	57471, 58542
52	58415-58416, 58542, 58543, 58767, 59309, 59310
61	58543

41 CFR

1-16	58174
6-6	58179
101-11	57314
101-17	57462
101-26	58747
101-35	58521

PROPOSED RULES:

105-61	57695
--------	-------

42 CFR

460	59086
-----	-------

PROPOSED RULES:

460	58544
121	57141

43 CFR

31	57462
----	-------

PROPOSED RULES:

426	57142
2720	57682

45 CFR

19	57317
153	57286
189	57638
Ch. IX	59086

FEDERAL REGISTER

45 CFR—Continued

1069	57693
Ch. XIII	59086, 59212
1901	57127
1905	57127

PROPOSED RULES:

1068	57698
1069	57699

46 CFR

153	57126, 57962
381	57126
536	59265

PROPOSED RULES:

54	58712
197	58712
510	58181

47 CFR

2	58409
17	57127
73	57689, 57962, 58179, 58750-58752, 59087
81	58409

47 CFR—Continued

83	57963, 58410
91	57963
97	57690, 58753

PROPOSED RULES:

68	58186
73	57695-57698, 57974-57977, 58187-58189, 58417, 58768, 58769, 59092
81	58770

49 CFR

1	58753
172	57964, 58522
173	57965, 58525, 58937
176	57967
395	58525
501	58530
527	58938
553	58949
1033	57317, 57691, 58410, 58950, 59278, 59386
1080	57692
1090	57127, 58531

49 CFR—Continued

PROPOSED RULES:

218	59310
391	57488
395	58418
571	58545

PROPOSED RULES—Continued

575	57979
580	58546
581	57979

50 CFR

10	59358
17	58754, 58756
32	57692, 57693, 58531, 59278, 59279, 59387
33	58411, 59279
651	58412

PROPOSED RULES:

17	57329, 57492
216	58419
255	58963

FEDERAL REGISTER PAGES AND DATES—NOVEMBER

Pages	Date	Pages	Date	Pages	Date
57115-57296	Nov. 1	58151-58395	8	58929-59033	14
57297-57443	2	58397-58507	9	59035-59259	15
57445-57681	3	58509-58728	10	59261-59362	16
57683-57939	4	58729-58928	11	59363-59485	17
57941-58149	7				

list of cfr parts affected in this issue

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month.

A Cumulative List of CFR Sections Affected is published separately at the end of each month. The guide lists the parts and sections affected by documents published since the revision date of each title.

3 CFR

MEMORANDUMS:

November 5, 1977..... 59363
November 14, 1977..... 59365

7 CFR

905 (2 documents)..... 59367
907 (2 documents)..... 59372
971..... 59373

14 CFR

39 (4 documents)..... 59374-59377
71..... 59377
97..... 59377
152..... 59476

PROPOSED RULES:

21..... 59388
36..... 59388
71 (2 documents)..... 59389
91..... 59388

22 CFR

63..... 59379

24 CFR

PROPOSED RULES:

570..... 59390

28 CFR

0..... 59384

29 CFR

2602..... 59385

36 CFR

251..... 59386

38 CFR

PROPOSED RULES:

3..... 59390

49 CFR

1033 (2 documents)..... 59386

50 CFR

32..... 59387

reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

NOTE: There were no items eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

List of Public Laws

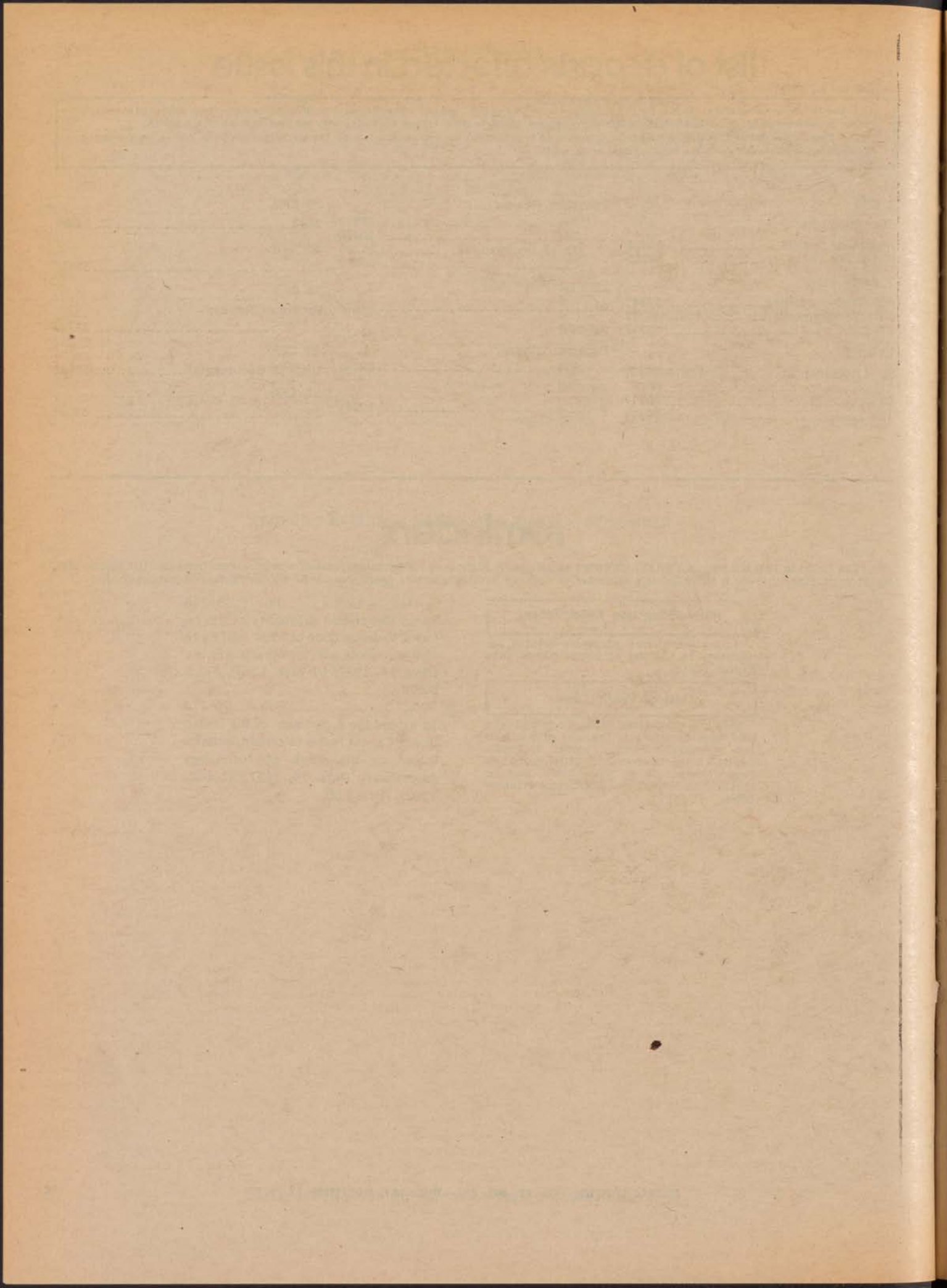
This is a continuing listing of public bills that have become law, the text of which is not published in the FEDERAL REGISTER. Copies of the laws in individual pamphlet form (referred to as "slip laws") may be obtained from the U.S. Government Printing Office.

H.R. 4458..... Pub. L. 95-176

To amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits and for other purposes. (Nov. 14, 1977; 91 Stat. 1363). Price: \$.60.

S. 2052..... Pub. L. 95-175

To extend the supervision of the United States Capitol Police to certain facilities leased by the Office of Technology Assessment. (Nov. 14, 1977; 91 Stat. 1362). Price: \$.50.



presidential documents

[3195-01]

Title 3—The President

Memorandum of November 5, 1977

Determination Under Section 620(x) of the Foreign Assistance Act of 1961, as Amended, To Permit the Sale of Certain Specified Defense Articles to the Government of Turkey

[Presidential Determination No. 78-1]

Memorandum for the Secretary of State

THE WHITE HOUSE,
Washington, November 5, 1977.

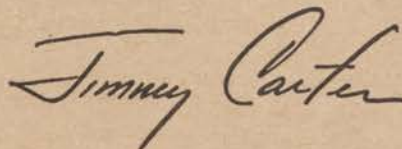
Pursuant to the authority vested in me by Section 620(x) of the Foreign Assistance Act of 1961, as amended (the Act), I hereby:

(a) Determine that defense articles and defense services in the amount of \$93.7 million in connection with the production and procurement of 40 F/RF-4E aircraft are necessary to enable Turkey to fulfill her defense responsibilities as a member of the North Atlantic Treaty Organization, and

(b) Suspend the provisions of Section 620(x) of the Act and of Section 3(c) of the Arms Export Control Act, as amended, for the fiscal year 1978 in order that the aforementioned defense articles and defense services may be sold to Turkey and the Turkish procurement of said articles and defense services may be financed under the authority of the Arms Export Control Act, as amended, within the limitations specified in Section 620(x) of the Act.

This determination supplements Presidential Determinations No. TQ-3 of August 27, 1976 (41 FR 37561), No. 77-8 of November 19, 1976 (41 FR 53315), and No. 77-16 of July 21, 1977 (42 FR 41401).

This determination shall be published in the FEDERAL REGISTER.



[FR Doc.77-33347 Filed 11-15-77;3:08 pm]

Memorandum of November 14, 1977

Federal Cash Management

Memorandum for the Heads of Executive Departments and Agencies

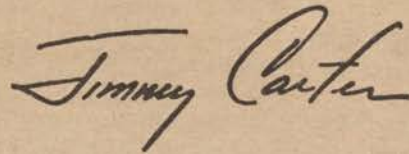
THE WHITE HOUSE,
Washington, November 14, 1977.

I have directed my reorganization staff, in conjunction with the Treasury Department, to conduct a comprehensive review of cash management policies, practices and organization throughout the Federal government.

The purpose of this effort is to identify further opportunities to apply modern cash management techniques to our massive cash flow. Within the constraints of monetary and economic policy, and building on the continuing work of the Treasury Department, the effort will seek ways to use our cash more efficiently with a view toward reducing Federal debt requirements and interest costs. The study will pay special attention to how effectively the government collects and disburses money, compensates banks and other financial institutions for services, controls cash balances, and provides incentives to make Federal managers more aware of the cash management implications of their decisions.

Representatives of my reorganization staff will contact you. They may ask you for help, advice, staff resources, or to participate in reviewing your own cash management activities. Inasmuch as I consider this to be a major management improvement effort, I trust you will share my enthusiasm and cooperate to the fullest extent possible.

In order to inform all affected parties that this review is underway, I have directed that this memorandum be published in the **FEDERAL REGISTER**.



[FR Doc.77-33404 Filed 11-16-77;9:12 am]

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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.

[3410-02]

Title 7—Agriculture

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

[Orange, Grapefruit, Tangerine, and Tangelo Reg. 1, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Amendment to final rule.

SUMMARY: This amendment establishes a total limitation of shipment regulation for Florida oranges, grapefruit, tangerines, and tangelos during the period beginning at 6:00 p.m., e.s.t., November 23, 1977, and ending 12:01 a.m., e.s.t., November 27, 1977. The regulation is needed to assist in preventing the accumulation of excessive market supplies of these fruits during the Thanksgiving Holiday period specified in which it is anticipated there will be a greatly reduced market demand.

EFFECTIVE DATE: November 23, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, 202-447-3545.

SUPPLEMENTARY INFORMATION: *Findings.* (1) Pursuant to the marketing agreement and Order No. 905, both as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the marketing agreement and order, and upon other information it is found that the limitation of shipments of oranges, grapefruit, tangerines, and tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) This amendment reflects the Department's appraisal of the potential marketing situation during the week in which Thanksgiving Day occurs and for the period immediately following. Historically, there has been heavy purchasing of fresh oranges, grapefruit, tangerines, and tangelos by the trade prior to Thanksgiving Day followed by a period of slow movement immediately following the holiday. An accumulation of excessive quantities of fruit in the markets during and immediately following the

Thanksgiving Day week contributes to unstable marketing conditions. Hence, the curtailment of shipments, as hereinafter specified, would contribute to a better-managed supply situation and in turn to the establishment of orderly marketing.

(3) It is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information became available upon which the amendment is based and the time when it must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective. Domestic shipments of Florida oranges, grapefruit, tangerines, and tangelos are currently regulated through September 24, 1978; determinations as to the need for, and extent of, regulation under § 905.52(a) (3) of the order must await the development of the crops and the availability of information about market supplies and the demand for such fruits; the recommendation and supporting information for limiting the total quantity of fresh citrus by prohibiting shipments, under said section, during the period herein provided, were promptly submitted to the Department after open meetings of the committees on November 8, 1977, held to consider recommendations for such regulation, after giving due notice of the meetings, and interested persons were afforded an opportunity to submit their views; information regarding the provisions of the regulation recommended by the committees has been provided to shippers of such fruits, and the regulation, including the effective time, is identical with the recommendations of the committees; and compliance with the regulation will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time.

Accordingly, it is found that the provisions in § 905.301 (Orange, Grapefruit, Tangerine, and Tangelo Regulation 1; 42 F.R. 57947) following paragraph (d) thereof should be and hereby are revised by adding a new paragraph (e) to read as follows:

§ 905.301 Orange, Grapefruit, Tangerine, and Tangelo Regulation 1.

(a) Order. * * *

(e) During the period beginning at 6:00 p.m., e.s.t., November 23, 1977, and ending at 12:01 a.m., e.s.t., November 27, 1977, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico, any oranges, grapefruit, tangerines, or tangelos of the varieties or types, specified in paragraph (a) Table I of this section, grown in the production area.

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

Dated, November 14, 1977, to become effective 6:00 p.m., e.s.t., November 23, 1977.

D. S. KURYLOSKI,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.77-33277 Filed 11-16-77; 8:45 am]

[3410-02]

[Docket No. AO-85-A8]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Order Amending Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This decision amends the Federal marketing agreement and order for fresh oranges, grapefruit, tangerines, and tangelos grown in Florida. Growers of these fruits voted in a referendum held September 19 through 28, 1977, to amend the order. More than 84 percent of those growers voting who produced more than 72 percent of the volume voted favored the amendment.

The amendment merges the Shippers Advisory Committee and Growers Administrative Committee to form the Citrus Administrative Committee, which reflects both shipper and grower interests. The amendment authorizes separate regulations for Dancy and Robinson varieties of tangerines to recognize seasonal and other differences between the two varieties. In addition, it changes provisions relating to a percentage grade or size limitation to authorize a broader, more representative, basis for computation of shipments of a specified grade or size. It also makes other minor changes in the order to reflect current practices.

EFFECTIVE DATE: December 30, 1977.
FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director,
Fruit and Vegetable Division, Agricultural Marketing Service, Department of Agriculture, Washington, D.C. 20250, 202-447-6393.

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed amendment of the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of fresh oranges, grapefruit, tangerines, and tangelos grown in the production area in Florida. Upon the basis of the record it is found that:

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

(2) The order, as amended, and as hereby further amended, regulates the handling of oranges (including Temple oranges), grapefruit, tangerines, (including Honey tangerines), and tangelos grown in the production area, in Florida in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area in Florida which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) The order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms applicable to different parts of the production area in Florida as are necessary to give due recognition to the differences in the production and marketing of oranges, grapefruit, tangerines, and tangelos grown in the production area in Florida; and

(5) All handling of such fruit grown in the said production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

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

(1) The "Marketing Agreement, as Amended, Regulating the handling of oranges (including Temple oranges), grapefruit, tangerines (including Honey tangerines), and tangelos grown in the production area in Florida", upon which the aforesaid public hearing was held has signed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the fruit covered by the said order, as amended, and as hereby further amended) who, during the period August 1, 1976, through July 31, 1977, handled not less than 50 percent of the volume of such fruit covered by the said order as amended, and as hereby further amended, and

(2) The issuance of this amendatory order, amending the aforesaid order, as amended, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who during the period August 1, 1976, through July 31, 1977 (which has been deemed to be a representative period), have been engaged within the production area in Florida, in the production of such fruit for market, such producers having also produced for market at least two-thirds of the volume of such commodities represented in the referendum.

ORDER RELATIVE TO HANDLING

Accordingly, it is determined, that on and after the effective date hereof, the handling of fresh oranges, grapefruit, tangerines, and tangelos grown in the production area in Florida, shall be in conformity to and in compliance with the terms and conditions of the said order, as amended, and as hereby further amended, as follows:

1. Section 905.1 *Secretary* is revised to read as follows:

§ 905.1 Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the United States Department of Agriculture to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

2. Section 905.4 *Fruit* is revised by amending paragraph (f) to read as follows:

§ 905.4 Fruit.

(f) Honey tangerines.

3. Section 905.5 *Variety* is revised by amending paragraphs (i), (j), and (k), and adding new paragraphs (l) and (m). As amended § 905.5 reads as follows:

§ 905.5 Variety.

(i) Dancy and similar tangerines, excluding Robinson and Honey tangerines;

(j) Robinson tangerines;
(k) Naval oranges; and
(l) Naval oranges; and
(m) Other varieties of citrus fruits specified in § 905.4 as recommended by the committee and approved by the Secretary.

4. Section 905.6 *Producer* is revised to read as follows:

§ 905.6 Producer.

"Producer" is synonymous with "grower" and means any person who is engaged in the production for market of fruit in the production area and who has a proprietary interest in the fruit so produced.

5. Section 905.10 *Standard packed box* is revised to read as follows:

§ 905.10 Carton or standard packed carton.

"Carton or standard packed carton" means a unit of measure equivalent to four-fifths (4/5) of a United States bushel of fruit, whether in bulk or in any container.

6. The provisions of §§ 905.12, 905.13, 905.14, 905.15, 905.16 are redesignated as §§ 905.13, 905.15, 905.16, 905.17, and 905.18, respectively, and a new § 905.12 is added reading as follows:

§ 905.12 Committee.

"Committee" means the Citrus Administrative Committee established pursuant to § 905.19.

7. Section 905.13 is revised and a new § 905.14 is added to read as follows:

§ 905.13 District.

(a) "Citrus District One" shall include the Counties of Hillsborough, Pinellas, Pasco, Hernando, Citrus, Sumter, and Lake.

(b) "Citrus District Two" shall include the Counties of Osceola, Orange, Seminole, Alachua, Putnam, St. Johns, Flagler, Marion, Levy, Duval, Nassau, Baker, Union, Bradford, Columbia, Clay, Gilchrist, and Suwannee, and County Commissioner, Districts One, Two, and Three of Volusia County, and that part of the Counties of Indian River and Brevard not included in Regulation Area II.

(c) "Citrus District Three" shall include the County of St. Lucie and that part of the Counties of Brevard, Indian River, Martin, and Palm Beach described as lying within Regulation Area II, and County Commissioner's Districts Four and Five of Volusia County.

(d) "Citrus District Four" shall include the Counties of Manatee, Sarasota, Hardee, Highlands, Okeechobee, Glades, De Sota, Charlotte, Lee, Hendry, Collier, Monroe, Dade, Broward, and that part of the Counties of Palm Beach and Martin not included in Regulation Area II.

(e) "Citrus District Five" shall include the County of Polk.

8. Section 905.14 is revised to read as follows:

§ 905.14 Redistricting.

The committee may with the approval of the Secretary, redefine the districts into which the production area is divided

or reapportionment or otherwise change the grower membership of districts, or both: *Provided*, That the membership shall consist of at least eight but not more than nine grower members, and any such change shall be based, so far as practicable, upon the respective averages for the immediately preceding five fiscal periods of (1) the volume of fruit shipped from each district; (2) the volume of fruit produced in each district; and (3) the total number of acres of citrus in each district. The committee shall consider such redistricting and reapportionment during the 1980-81 fiscal period, and only in each fifth fiscal period thereafter, and each such redistricting or reapportionment shall be announced on or before March 1 of the then current fiscal period.

9. Delete §§ 905.20 through 905.26 and insert in lieu thereof the following:

§ 905.19 Establishment and membership.

(a) There is hereby established a Citrus Administrative Committee consisting of at least 8 but not more than 9 grower members, and 8 shipper members. Grower members shall be persons who are not shippers or employees of shippers. Shipper members shall be shippers and employees of shippers. The committee may be increased by one non-industry member nominated by the committee and selected by the Secretary. The committee, with the approval of the Secretary, shall prescribe qualifications, term of office, and the procedure for nominating the non-industry member.

(b) Each member shall have an alternate who shall have the same qualifications as the member for whom he is an alternate.

§ 905.20 Term of office.

The term of office of members and alternate members shall begin on the first day of August and continue for one year and until their successors are selected and have qualified. The consecutive terms of office of a member shall be limited to three terms. The terms of office of alternate members shall not be so limited. Members, their alternates, and their respective successors shall be nominated and selected by the Secretary as provided in §§ 905.22 and 905.23.

§ 905.21 Selection of initial members of the committee.

The initial members of the Citrus Administrative Committee and their respective alternates shall be the members and alternates of the Growers Administrative Committee and the Shippers Advisory Committee serving on the effective date of his amendment. Each member and alternate shall serve until completion of the term for which he was selected and until his successor has been selected and qualified.

§ 905.22 Nominations.

(a) *Grower member.* (1) The committee shall give public notice of a meeting of producers in each district to be held not later than July 10 of each year, for the purpose of making nominations

for grower members and alternate grower members. The committee, with the approval of the Secretary, shall prescribe uniform rules to govern such meetings and the balloting thereat. The chairman of each meeting shall publicly announce at such meeting the names of the persons nominated, and the chairman and secretary of each such meeting shall transmit to the Secretary their certification as to the number of votes so cast, the names of the persons nominated, and such other information as the Secretary may request. All nominations shall be submitted to the Secretary on or before the 20th day of July.

(2) Each nominee shall be a producer in the district from which he is nominated. In voting for nominees, each producer shall be entitled to cast one vote for each nominee in each of the districts in which he is a producer. At least three of the nominees and their alternates so nominated shall be affiliated with a bona fide cooperative marketing organization.

(b) *Shipper members.* (1) the Committee shall give public notice of a meeting for bona fide cooperative marketing organizations which are handlers, and a meeting for other handlers who are not so affiliated, to be held not later than July 10 of each year, for the purpose of making nominations for shipper members and their alternates. The committee, with the approval of the Secretary, shall prescribe uniform rules to govern each such meeting and balloting thereat. The chairman of each such meeting shall publicly announce at the meeting the names of the persons nominated and the chairman and secretary of each such meeting shall transmit to the Secretary their certification as to the number of votes cast, the weight by volume of those shipments voted, and such other information as the Secretary may request. All nominations shall be submitted to the Secretary on or before the 20th day of July.

(2) Nomination of at least three members and their alternates shall be made by bona fide cooperative marketing organizations which are handlers. Nominations for not more than five members and their alternates shall be made by handlers who are not so affiliated. In voting for nominees, each handler or his authorized representative shall be entitled to cast one vote, which shall be weighted by the volume of fruit by such handler during the then current fiscal period.

§ 905.23 Selection.

(a) From the nominations made pursuant to § 905.22(a) or from other qualified persons, the Secretary shall select one member and one alternate member to represent District 2 and two members and two alternate members each to represent District 1, 3, 4, and 5 or such other number of members and alternate members from each district as may be prescribed pursuant to § 905.14. At least three such members and their alternates shall be affiliated with bona fide cooperative marketing organizations.

(b) From the nominations made pursuant to § 905.22(b) or from other qualified persons, the Secretary shall select at least three members and their alternates to represent bona fide cooperative marketing organizations which are handlers, and the remaining members and their alternates to represent handlers who are not so affiliated.

10. Section 905.31 *Duties of Growers Administrative Committee* is revised by: (1) Revising the title and introductory sentence thereof; and (2) deleting paragraphs (j) and (k). As amended § 905.31 reads as follows:

§ 905.31 Duties of Citrus Administrative Committee.

It shall be the duty of the Citrus Administrative Committee:

(j) [Deleted]

(k) [Deleted]

§ 905.32 [Revoked]

11. Section 905.32 *Duties of Shippers Advisory Committee* is deleted.

12. Section 905.33 *Compensation and expenses of committee members* is revised to read as follows:

§ 905.33 Compensation and expenses of committee members.

The members and alternate members of the committee shall serve without compensation but may be reimbursed for expenses necessarily incurred by them in attending committee meetings and in the performance of their duties under this part.

13. Section 905.34 *Procedure of committees* is revised to read as follows:

§ 905.34 Procedure of committee.

(a) Ten members of the committee shall constitute a quorum.

(b) For any decision or recommendation of the committee to be valid, ten concurring votes, five of which must be grower votes, shall be necessary: *Provided*, That the committee may recommend a regulation restricting the shipment of grapefruit grown in Regulation Area I or Regulation Area II which meets the requirements of the Improved No. 2 grade or the Improved No. 2 Bright grade only upon the affirmative vote of a majority of its members present from the regulation area in which such restriction would apply; and whenever a meeting to consider a recommendation for release of such grade is requested by a majority of the members from the affected area, the committee shall hold a meeting within a reasonable length of time for the purpose of considering such a recommendation. If after such consideration the requesting area majority present continues to favor such release for their area the request shall be considered a valid recommendation and shall be transmitted to the Secretary. The votes of each member cast for or against any recommendation made pursuant to this subpart shall be duly recorded. Whenever an assembled meeting is held each member must vote in person.

(c) The committee may, in cases of emergency, vote by telephone and all such votes must be confirmed in writing. Any proposition so voted upon shall first be fully explained to all members or alternates acting as members. When any proposition is submitted to be voted on by telephone, two (2) dissenting votes shall prevent its adoption.

(d) The committee shall give the Secretary the same notice of meetings as is given to the members thereof.

14. Section 905.51 *Recommendations for regulation* is amended by revising paragraph (a), by deleting paragraph (b) and substituting "committee" for "Growers Administrative Committee" in paragraph (c) and by redesignating paragraph (c) as paragraph (b). As amended § 905.51 reads as follows:

§ 905.51 Recommendations for regulation.

(a) Whenever the committee deems it advisable to regulate any variety in the manner provided in § 905.52, it shall give due consideration to the following factors relating to the citrus fruit produced in Florida and in other States: (1) Market prices, including prices by grades and sizes of the fruit for which regulation is recommended; (2) maturity, condition, and available supply, including the grade and size thereof in the producing areas; (3) other pertinent market information and (4) the level and trend of consumer income. The committee shall submit to the Secretary its recommendations and supporting information respecting the factors enumerated in this section.

(b) The committee shall give notice of any meeting to consider the recommendation of regulations pursuant to § 905.52 by mailing a notice of meeting to each handler who has filed his address with the committee for this purpose. The committee shall give the same notice of any such recommendation before the time it is recommended that such regulation become effective.

15. Section 905.52 *Regulation by the Secretary* is revised by:

(1) Revising the title thereof;
(2) Substituting "committee" for "Shippers Advisory Committee" and the "Growers Administrative Committee" in the first sentence of paragraph (a);

(3) Revising the proviso in subparagraph (1) of paragraph (a);

(4) Substituting "Chapter 601 of the Florida Statutes and regulations effective thereunder" for the "Florida Citrus Code" in subparagraph (5) of paragraph (a);

(5) Deleting "Growers Administrative Committee" in paragraph (b) and "Shippers Advisory Committee and the Growers Administrative Committee" in paragraph (c) and substituting therefor the word "committee"; and

(6) Adding "of any variety" following the words "to any or all shipments" in the first sentence of paragraph (c). As amended § 905.52 reads as follows:

§ 905.52 Issuance of regulations.

(a) Whenever the Secretary shall find from the recommendations and reports

of the committee, or from other available information, that to limit the shipment of any variety would tend to effectuate the declared policy of the act, he shall so limit the shipment of such variety during a specified period or periods. Such regulations may:

(1) Limit the shipments of any grade or size, or both, of any variety, in any manner as may be prescribed, and any such limitation may provide that shipments of any variety grown in Regulation Area II shall be limited to grades and sizes different from the grade and size limitations applicable to shipments of the same varieties grown in Regulation Area I: *Provided*, That whenever any such grade or size limitation restricts the shipment of a portion of a specified grade or size of a variety, the quantity of such grade or size that may be shipped by a handler during a particular week shall be established as a percentage of the total shipments of such variety by such handler in such prior period established by the committee with the approval of the Secretary, in which he shipped such variety.

(5) Fix the size, capacity, weight, dimensions, or pack of the container or containers which may be used in the shipment of fruit for export, other than to Canada and Mexico: *Provided*, That such regulation shall not authorize the use of any container which is prohibited for use for fruit under the provisions of Chapter 601 of the Florida Statutes and regulations effective thereunder.

(b) Prior to the beginning of any such regulations, the Secretary shall notify the committee of the regulation issued by him, and the committee shall notify all handlers by mailing a copy thereof to each handler who has filed his address with the committee for this purpose.

(c) Whenever the Secretary finds from the recommendations and reports of the committee, or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of any variety of fruit in order to effectuate the declared policy of the act, he shall so modify, suspend, or terminate such regulation. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulation. On the same basis, and in like manner, the Secretary may terminate any such modification or suspension.

(d) * * *

§ 905.54 [Revoked]

16. Section 905.54 *Exemptions* is deleted.

§ 905.14 [Redesignated]

A typographical error in § 905.14 (redesignated herein as § 905.16) is corrected by substituting "Township 15 South, Range 32 East;" for "Township 18 South, Range 32 East;" As so revised and redesignated said section reads as follows:

§ 905.16 Regulation Area II.

"Regulation Area II" shall include that part of the State of Florida particularly described as follows:

Beginning at a point on the shore of the Atlantic Ocean where the line between Flagler and Volusia Counties intersects said shore, thence follow the line between said two counties to the Southwest corner of Section 23, Township 14 South, Range 31 East; thence continue South to the Southwest corner of Section 35, Township 14 South, Range 31 East; thence East to the Northwest corner of Township 15 South, Range 32 East; * * *

17. The following sections are revised by substituting "committee" for references to "Growers Administrative Committee and Shippers Advisory Committee".

§ 905.27 Failure to nominate.

In the event nominations for a member or alternate member of the committee are not made pursuant to the provisions of § 905.22 * * *

§ 905.28 Acceptance of membership.

Any person selected by the Secretary as a member or alternate member of the committee * * *

§ 905.29 Inability of members to serve.

(a) An alternate for a member of the committee * * *

(b) In the event of the death, removal, resignation, or disqualification of any person selected by the Secretary as a member or an alternate member of the committee * * *

§ 905.30 Powers of the committee.

The committee, * * *

§ 905.35 Right of the Secretary.

The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination, or other act of the committee, * * *

§ 905.36 Funds.

(a) All funds received by the committee * * *

(b) The Secretary may, at any time, require the committee * * *

(c) Upon the removal or expiration of the term of office of any member of the committee * * *

EXPENSES AND ASSESSMENTS

§ 905.40 Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred to carry out the functions of the committee * * *

§ 905.41 Assessments.

(a) Each handler who first handles fruit shall pay to the committee, upon demand, such handler's pro rata share of the expenses which the Secretary finds will be incurred by the committee for the

maintenance and functioning, during each fiscal period, of the committee established under this subpart. Each such handler's share of such expenses shall be that proportion thereof which the total quantity of fruit shipped by such handler as the first handler thereof during the applicable fiscal period is of the total quantity of fruit so shipped by all handlers during the same fiscal period. The Secretary shall fix the rate of assessment per standard packed carton of fruit to be paid by each such handler. The payment of assessments for the maintenance and functioning of the committee * * *

(b) At any time during or after the fiscal period, the Secretary may increase the rate of assessment so that the sum of money collected pursuant to the provisions of this section shall be adequate to cover the said expenses. Such increase shall be applicable to all fruit shipped during the given fiscal period. In order to provide funds to carry out the functions of the committee established under § 905.19, handlers may make advance payment of assessments.

§ 905.42 Handler's accounts.

(a) * * *

(b) The committee * * *

REGULATIONS

§ 905.50 Marketing policy.

(a) Before making any recommendations pursuant to § 905.51 for any variety of fruit the committee shall, with respect to the regulations permitted by § 905.52, submit to the Secretary a detailed report setting forth an advisable marketing policy for such variety for the then current shipping season. Such report shall set forth the proportion of the remainder of the total crop of such variety of fruit (determined by the committee to be available for shipment during the remainder of the shipping season of such variety) deemed advisable by the committee to be shipped during such season.

(b) In determining each such marketing policy and advisable proportion, the committee shall give due consideration to the following factors relating to citrus fruit produced in Florida and in other States: (1) The available crop of each variety of citrus fruit in Florida, and in other States, including the grades and sizes thereof, which grades and sizes in Florida shall be determined by the committee * * *

(c) In addition to the foregoing, the committee shall set forth a schedule of proposed regulation for the remainder of the shipping season for each variety of fruit for which recommendations to the Secretary pursuant to § 905.51 are contemplated. Such schedules shall recognize the practical operations of harvesting and preparation for market of each variety and the change in grades and sizes thereof as the respective seasons advance. In the event it is deemed advisable to alter such marketing policy or advisable proportion as the shipping season progresses, in view of changed demand and supply conditions with respect

to fruit, the committee shall submit to the Secretary a report thereon.

(d) The committee * * *

§ 905.53 Inspection and certification.

(a) Whenever the handling of a variety of a type of fruit is regulated pursuant to § 905.52, each handler who handles any variety of such type of fruit shall, prior to the handling of any lot of such variety, cause such lot to be inspected by the Federal-State Inspection Service and certified by it as meeting all applicable requirements of such regulation: *Provided*, That such inspection and certification shall not be required if the particular lot of fruit previously had been so inspected and certified unless such prior inspection was not performed within such time limitations as may be prescribed pursuant to paragraph (b) of this section. Each handler shall promptly submit, or cause to be submitted, to the committee a copy of each certificate of inspection issued to him covering varieties so handled.

(b) With respect to any variety regulated pursuant to § 905.52(a)(4), the committee * * *

HANDLER'S REPORT

§ 905.70 Manifest Report.

The committee may request information from each handler regarding the variety, grade, and size of each standard packed carton of fruit shipped by him and may require such information to be mailed or delivered to the committee or its duly authorized representative, within 24 hours after such shipment is made, in a manner or by such method as the committee may prescribe, and upon such forms as may be prepared by it.

§ 905.71 Other information.

Upon request of the committee, made with the approval of the Secretary, every handler shall furnish the committee, * * *

MISCELLANEOUS PROVISIONS

§ 905.80 Fruit not subject to regulation.

Except as otherwise provided in this section, any person may, without regard to the provisions of §§ 905.52 and 905.53 and the regulations issued thereunder, ship any variety for the following purposes: (a) To a charitable institution for consumption by such institution; (b) to a relief agency for distribution by such agency; (c) to a commercial processor for conversion by such processor into canned or frozen products or into a beverage base; (d) by parcel post; or (e) in such minimum quantities, types of shipments, or for such purposes as the committee * * *

§ 905.84 Proceedings after termination.

(a) Upon the termination of the provisions of this part, the then functioning members of the committee shall continue as joint trustees, for the purpose of liquidating the affairs of the committee, of all the funds and property then in the possession of or under control of committee, * * *

(b) The said trustees (1) shall continue in such capacity until discharged by the Secretary, (2) shall, from time to time, account for all receipts and disbursements of deliver all property on hand, together with all books and records of the committee and of the joint trustees, to such person as the Secretary may direct; and (3) shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee, or the joint trustees pursuant to this part.

(c) * * *

(d) Any person to whom funds, property, or claims have been transferred or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said joint trustees.

§ 905.88 Personal liability.

No member or alternate of the committee * * *

Subpart—Rules and Regulations

§ 905.120 Nomination procedure.

Meetings shall be called by the committee in accordance with the provisions of § 905.22 for the purpose of making nominations for members and alternate members of the committee. The manner of nominating members and alternate members of the committee shall be as follows:

(a) At each such meeting the Secretary's agent shall announce the requirements as to eligibility for voting for nominees and the procedure for balloting, and shall explain the duties of the committee under §§ 905.51 through 905.89, inclusive.

(b) A chairman and a secretary of each meeting shall be selected.

(c) At each meeting there shall be presented for nomination and there shall be nominated not less than the number of nominees required under the provisions of §§ 905.19 and 905.22, all of whom shall have the qualifications therein provided.

(d) At the meetings of handlers, any person authorized to represent a handler may cast a ballot for such handler.

(e) At each meeting there may be cast at least the number of persons required to be nominated to represent the several districts or groups, as the case may be.

(f) All voting shall be by ballot and all ballots shall be delivered by the chairman or the secretary of the meeting to the agent of the Secretary.

§ 905.125 [Revoked]

§ 905.126 [Revoked]

§ 905.130 [Revoked]

§ 905.132 [Revoked]

Section 905.125 *Redefinition of districts*, § 905.126 *Changes in district representation*, § 905.130 *Exemption certificates*, § 905.131 *Issuance of certificates*, and § 905.132 *Reports* are deleted.

NON-REGULATED FRUIT

§ 905.140 Gift packages.

During any day any handler may, without regard to the provisions of § 905.52 and § 905.53 and the regulations issued thereunder, ship any variety for the following purpose, and in the following quantity, and types of shipment: (a) To any person one gift package containing such variety, individually addressed to such person, not in excess of two standard packed cartons if such packages are shipped direct to the addressee for use by such person other than for resale; or (b) to any distributor individually addressed gift packages of such variety not in excess of two standard packed cartons each for distribution by such distributor to the respective addressee, but not for resale.

§ 905.141 Minimum exemption.

Any shipment of fruit which meets each of the following requirements may be transported from the production area during any one day by any person or by occupants of one vehicle exempt from the requirements of § 905.52 and § 905.53 and regulations issued thereunder:

(a) The shipment does not exceed a total of 15 standard packed cartons (12 bushels) of fruit either a single fruit or a combination of two or more fruits;

(b) The shipment consists of fruit not for resale; and

(c) Such exempted quantity is not included as a part of a shipment exceeding 15 standard packed cartons (12 bushels) of fruit.

§ 905.145 Certification of certain shipments.

Whenever a regulation pursuant to § 905.52 restricts the shipment of a portion of a specified grade or size of a variety, each handler shipping such variety during the regulation period shall, with respect to each such shipment, certify to the U.S. Department of Agriculture and the committee the quantity of the partially restricted grade or size, or both, contained in such shipment. Such certification shall accompany the manifest of such shipment which the handler furnishes to the Federal-State Inspection Service.

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

Effective date: December 30, 1977.

Signed at Washington, D.C., on November 11, 1977.

BOB BERGLAND,
Secretary.

[FR Doc.77-33274 Filed 11-16-77; 8:45 am]

[3410-02]

[Navel Orange Reg. 414]

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

Size Regulation

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation requires fresh California-Arizona navel oranges shipped to market from Districts 1 and 3 to be at least 2.20 inches in diameter for the period November 18, 1977, through December 29, 1977. This requirement is designed to promote orderly marketing in the interest of producers and consumers.

EFFECTIVE DATE: November 18, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, 202-447-3545.

SUPPLEMENTARY INFORMATION: Findings. Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under this marketing order, and upon other information, it found that the limitation of handling of navel oranges, as hereafter provided, will tend to effectuate the declared policy of the act.

The committee met on November 4 and 8, 1977, to consider crop and market conditions and other factors affecting the need for regulation, and recommended that navel oranges in fresh domestic shipments from Districts 1 and 3 be required to be 2.20 inches in diameter or larger. The 1977-78 season navel orange crop is estimated at 41,200 cartons, compared with the past 3-season average of 56,870 cartons. Fresh domestic shipments for the 1977-78 season are expected to amount to 72 percent of the crop (29,700 cartons), compared with an average of 65 percent (36,898 cartons) shipped during the past 3 seasons. Shipment of this season's navel orange crop is now in progress, and ample supplies of navel oranges 2.20 inches in diameter or larger are available to satisfy the demand in fresh domestic markets. This regulation is designed to prevent shipment of very small oranges which have relatively small amounts of juice and high amounts of peel in relation to their size. Navel oranges smaller than 2.20 inches in diameter may be shipped to fresh export markets, left on the trees to attain further growth, or utilized in processing. The regulation is consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers, and it reflects the Department's appraisal of the need for regulation based on the current and prospective crop and market conditions.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking and postpone the effective date until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553), because of insufficient time between the date when information be-

came available upon which this regulation is based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given an opportunity to submit information and views on the regulation at open meetings. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

§ 907.714 Navel Orange Regulation 414.

(a) Order. During the period November 18, 1977, through December 29, 1977, no handler shall handle any navel oranges grown in District 1 or District 3 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the navel oranges contained in any type of container may measure smaller than 2.20 inches in diameter.

(b) As used in this section, "handler", "handle", "District 1", and "District 3", mean the same as defined in the marketing order.

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

NOTE.—It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.

Dated: November 14, 1977.

D. S. KURYLOSKI,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.77-33273 Filed 11-16-77; 8:45 am]

[3410-02]

[Navel Orange Regulation 415]

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

Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period November 18-24, 1977. Such action is needed to provide for orderly marketing of fresh navel oranges for this period due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: November 18, 1977.
FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, 202-447-3545.

SUPPLEMENTARY INFORMATION: Findings. Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of

California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under this marketing order, and upon other information, it is found that the limitation of handling of navel oranges, as hereafter provided, will tend to effectuate the declared policy of the act.

The committee met on November 15, 1977, to consider supply and market conditions and other factors affecting the need for regulation and recommended a quantity of navel oranges deemed advisable to be handled during the specified week. The committee reports the demand for navel oranges is strong on very light volume, except that it is lagging on smaller sizes.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking and postpone the effective date until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

§ 907.715 Navel Orange Regulation 415.

Order. (a) The quantities of navel oranges grown in Arizona and California which may be handled during the period November 18, 1977, through November 24, 1977, are established as follows:

- (1) District 1: 890,000 cartons;
- (2) District 2: unlimited movement;
- (3) District 3: 110,000 cartons.

(b) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" mean the same as defined in the marketing order.

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

NOTE.—It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.

Dated: November 16, 1977.

D. S. KURYLOSKI,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 77-33448 Filed 11-16-77; 11:27 am]

[3410-02]

[971.318]

PART 971—LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

Handling Regulation

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation imposes pack, container, and inspection requirements on shipments of lettuce grown in the Lower Rio Grande Valley in South Texas. This should promote orderly marketing of such lettuce by standardizing the pack of lettuce shipped to consumers.

EFFECTIVE DATE: November 21, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington, D.C. 20250, telephone: 202-447-6393.

SUPPLEMENTARY INFORMATION: Marketing Agreement No. 144 and Marketing Order No. 971 regulate the handling of lettuce grown in the Lower Rio Grande Valley in South Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The South Texas Lettuce Committee, established under the order, is responsible for its local administration.

Notice was published in the October 25 FEDERAL REGISTER (42 FR 56336) regarding the proposal. It afforded interested persons an opportunity to file written comments by November 9, 1977. None was filed.

This regulation is based upon the recommendations made by the committee at its public meeting in McAllen, Tex., on October 11, 1977.

The recommendations of the committee reflect its appraisal of the 1977-78 lettuce crop and marketing prospects for the season.

The South Texas lettuce industry as well as other lettuce shipping areas are accustomed to operating on a six day shipping week. The experience has been that a six day shipping week is adequate for five days distribution in terminal markets. Therefore "packaging holidays" on Sundays will promote more orderly marketing.

The pack and container requirements are in accord with the generally accepted commercial practices of the South Texas lettuce industry of packing specified numbers of heads of lettuce in specified sized containers limited to those found acceptable to the trade for safe transportation of the lettuce, and will prevent deceptive practices.

No purpose would be served by regulating the pack or requiring the inspection and assessment of insignificant quantities of lettuce. Therefore quantities up to two cartons of lettuce per day will be exempt from such requirements.

Provisions with respect to special purpose shipments, including export, are designed to meet the different requirements for export and noncommercial domestic trade. Because of the production area's proximity to the Mexican border, Mexican buyers have been accustomed to acquiring small lots of production area lettuce for their home market. These buyers utilize lettuce which fails to meet the pack and con-

tainer requirements. Inasmuch as such shipments have a negligible effect on the domestic market, they are permitted provided certain safeguard requirements are met.

After consideration of all relevant matters, including the proposal set forth in the notice, it is found that the handling regulation will tend to effectuate the declared policy of the act.

It is further found that good cause exists for not postponing the effective date of this section 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of lettuce grown in the production area are expected to begin about the effective date specified in this regulation, 2 to maximize benefits to producers this effective period should be set to cover as many shipments as possible during the shipping season, (3) information regarding the provisions of this regulation has been made available to producers and handlers in the production area, and (4) compliance with this regulation will not require any special preparation on the part of persons subject to it which cannot be completed by the effective date.

The regulation is as follows:

§ 971.318 Handling regulation.

During the period November 21, 1977, through March 31, 1978, no person shall handle any lot of lettuce grown in the production area unless such lettuce meets the requirements of paragraphs (a), (b), (c), and (d) of this section, or unless such lettuce is handled in accordance with paragraphs (e) or (f) of this section. Further, no person may package lettuce during the above period on any Sunday.

(a) [Reserved]

(b) **Pack.** (1) Lettuce heads, packed in container No. 7303, 7306, or 7313; if wrapped may be packed only 18, 20, 22, 24, or 30 heads per container; if not wrapped, only 18, 24, or 30 heads per container.

(2) Lettuce heads in container No. 85-40 may be packed only 24 or 30 heads per container.

(c) **Containers.** Containers may be only the following depth, width and length respectively:

(1) Cartons with inside dimensions of 10 inches x 14 1/4 inches x 21 1/10 inches (designated as carrier container No. 7303), or

(2) Cartons with inside dimensions of 9 3/4 inches x 14 inches x 21 inches (designated as carrier container No. 7306), or

(3) Cartons with inside dimensions of 14 inches x 9 3/4 inches x 21 inches (designated as carrier container No. 7313), or

(4) Cartons with inside dimensions of 10 3/4 inches x 16 1/8 inches x 21 1/2 inches (designated as carrier container No. 85-40—flat pack).

(d) **Inspection.** (1) No handler shall handle lettuce unless such lettuce is inspected by the Texas-Federal Inspection Service and an appropriate inspection certificate has been issued for it, except when relieved of such requirement by paragraphs (e) or (f) of this section.

(2) No handler may transport by motor vehicle, or cause such transportation of, any shipment of lettuce for which inspection is required unless each such shipment is accompanied by a copy of an appropriate inspection certificate or shipment release form (SPI-23) furnished by the inspection service verifying that such shipment meets the current grade, pack, and container requirements of this section. A copy of such inspection certificate or shipment release form shall be available and surrendered upon request to authorities designated by the committee.

(3) For administration of this part, such inspection certificate or shipment release form required by the committee as evidence of inspection is valid for only 72 hours following completion of inspection, as shown on such certificate or form.

(e) *Minimum quantity.* Any person may handle up to, but not to exceed two cartons of lettuce a day without regard to inspection, assessment, grade, and pack requirements. This exception shall not be applied to any shipment of over two cartons of lettuce.

(f) *Special purpose shipments.* The pack, container, and inspection requirements of this section shall not be applicable to shipments as follows:

(1) For relief, charity, experimental purpose, or export to Mexico, if a handler presents a Certificate of Privilege for such lettuce prior to handling it, pursuant to §§ 971.120-971.125; and

(2) For export to Mexico, if the handler of such lettuce loads and transports it only in a vehicle bearing Mexican registration (license).

(g) *Definitions.* (1) "Wrapped" heads of lettuce refers to those which are enclosed individually in parchment, plastic, or other commercial film and then packed in cartons or other containers.

(2) Other terms used in this section have the same meaning as when used in Marketing Agreement No. 144 and this part.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-604.)

Dated: November 14, 1977, to become effective November 21, 1977.

D. S. KURYLOSKI,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 77-33276 Filed 11-16-77; 8:45 am]

[4910-13]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 77-CE-21-AD; Amdt. 39-3082]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Pressurized 65, 90 and 100 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, superseding of existing airworthiness directive.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD), applicable to certain Beech pressurized 65, 90 and 100 series airplanes, which supersedes AD 75-08-20. In addition to incorporating those provisions requiring repetitive inspections of all non-openable windows originally set forth in AD 75-08-20, this new AD provides for relief from said window inspections when stretched acrylic type windows, that have become available since AD 75-08-20 was issued, are installed. It also includes cutoff serial numbers for affected models and certain model B100 airplanes are added to the AD applicability. This action will assure continued structural integrity of nonopenable windows in affected airplanes and will preclude loss of cabin pressurization attributable to window failure.

DATES: Effective date November 28, 1977. Compliance Schedule—As prescribed in the body of the AD.

ADDRESSES: Beechcraft Service Instructions No. 0711-110, Revision II, applicable to this AD, may be obtained from local Beechcraft Aviation Centers (Dealers) or from Beech Aircraft Corporation, Commercial Service Department, 9709 East Central, P.O. Box 85, Wichita, Kans. 67201. A copy of the service instructions cited above is contained in the Rules Docket, room 916, 800 Independence Avenue SW., Washington, D.C., and at the Office of the Regional Counsel, room 1558, 601 East 12th Street, Kansas City, Mo. 64106.

FOR FURTHER INFORMATION CONTACT:

William L. Schroeder, Aerospace Engineer, Engineering and Manufacturing Branch, FAA, Central Region, 601 East 12th Street, Kansas City, Mo. 64106; telephone: 816-374-3446.

SUPPLEMENTARY INFORMATION: Subsequent to the issuance of AD 75-08-20 it has been determined that certain Beech Model B100 airplanes, in addition to the airplanes currently affected by AD 75-03-20, has cast acrylic type windows that may crack and fail in service. In addition the manufacturer has now begun installing stretched acrylic type windows in current production Beech pressurized 65, 90 and 100 series airplanes and made these much improved windows available for affected inservice airplanes.

Amendment 39-2171, 40 FR 16831, 16832, AD 75-08-20, as amended by Amendment 39-2546, 41 FR 10878, currently requires repetitive inspections of all non-openable windows in certain Beech pressurized 65, 90 and 100 series airplanes in accordance with Beechcraft Service Instructions 0711-110, Revision I to detect any cracks or crazing prior to their propagating to critical lengths. The manufacturer has now issued Beechcraft Service Instructions No. 0711-110, Revision II, which includes certain Model B100 airplanes in its applicability and makes new stretched acrylic type windows available for all affected airplanes. In addition Revision II of the aforementioned service instructions allows dis-

continuance of the repetitive window inspections when the stretched acrylic windows are installed and provides cutoff serial numbers showing, for each affected model, the serial number after which the manufacturer began installing the new stretched acrylic windows in production airplanes.

After issuing Amendment 39-2171, as amended by 39-2546, the Federal Aviation Administration has determined that because of similarity in type design, repetitive inspections of cast acrylic type windows in certain Beech Model B100 airplanes are required to assure continued structural integrity. Furthermore the AD should provide owners/operators relief from the mandatory repetitive window inspections when the new stretched acrylic type windows are installed since these windows are not expected to crack or craze. Therefore, Amendment 39-2171, AD 75-08-20, as amended by Amendment 39-2546 is being superseded by a new AD, making compliance with the provisions of Beechcraft Service Instructions No. 0711-110, Revision II mandatory. The Agency has coordinated this document with the manufacturer prior to its issuance.

Since this Amendment is in part relieving in nature and a situation exists that requires the adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this Amendment effective in less than 30 days.

DRAFTING INFORMATION

The principal authors of this document are: William L. Schroeder, Flight Standards Division, Central Region, and John L. Fitzgerald, Jr., Office of the Regional Counsel, Central Region.

ADOPTION OF THE AMENDMENT

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

BEECH: Applies to the following models and serial numbers of airplanes having two (2) years or more time in service certificated in all categories:

Models	Serial numbers
65-88	LP-1 through LP-26,
65-90, 65-A90, B90	LP-28 and LP-30
and C90	through LP-47.
E90	LJ-1 through LJ-680.
100 and A100	LW-1 through LW-178.
B100	B-1 through B-226.
	BE-1 through BE-8.

Compliance: Required as indicated unless already accomplished.

To prevent decompression resulting from window failure, accomplish the following:

A. (1) Within 50 hours time in service after April 21, 1975, unless this initial inspection has previously been accomplished in accordance with AD 75-08-20, visually inspect each original equipment cast acrylic type (a) round cabin window (Beech part number 50-420013-191), (b) baggage compartment window (Beech part numbers 50-440014-43 and -44), and (c) nonopenable side window in the crew compartment (Beech part numbers 50-420066-103 and -104) for crazing and cracks in accordance with the procedures and

sketches in Beechcraft Service Instructions No. 0711-110, Revision II, or later approved revisions.

(2) If, as a result of these inspections, a crack or craze is discovered that is $\frac{3}{16}$ inch in length or longer, replace the window prior to further flight in accordance with the aforementioned service instruction, or alternatively deactivate the cabin pressurization system as follows:

(a) Secure the "Test/Dump" switch in the "Dump" position.

(b) Fabricate and install a temporary placard, having $\frac{3}{16}$ inch or larger letters, on the control panel adjacent to the pressurization system controls which reads:

"Cabin Pressurization Prohibited"

and operate the aircraft in accordance with this limitation.

(c) Insert a copy of this AD in the "Limitations" section of the airplane flight manual.

(3) For windows with cracks or craze lengths less than $\frac{3}{16}$ inch, reinspect in accordance with Paragraph A.(1) at each 100 hour time-in-service interval after initial detection of the crack or craze, and if a crack or craze of $\frac{3}{16}$ inch in length or longer is found comply with Paragraph A.(2).

(4) For windows without cracks or crazes reinspect in accordance with Paragraph A.(1) at each 500-hour time-in-service interval after the initial inspection required by Paragraph A.(1), and accomplish Paragraph A.(2) or A.(3), as applicable if cracks or crazes are detected.

NOTE.—Windows with minor scratches (less than .030 inches in depth) need not be replaced but the scratches should be removed in accordance with the aforementioned Beechcraft Service Instructions.

B The repetitive window inspections required by Paragraph "A" of this AD are no longer required for those windows which have been replaced with new acrylic windows having Beech part numbers as follows:

Window shape/location	Part number of stretched acrylic windows
Round cabin windows....	50-420013-1053.
Baggage compartment windows.	50-440014-837 and -838.
Cockpit nonopenable side window.	50-420066-317 and -318.

The Aircraft Maintenance Records must clearly show that a new stretched acrylic window having one of the Beech part numbers shown above is installed at a given window location. In the absence of such showing, perform the inspections required by Paragraph "A" of this AD.

C. Aircraft may be flown unpressurized to a location where the inspections/repairs required by this AD can be performed.

D. The time intervals for the 100 and 500 hour repetitive inspections required by Paragraph "A" of this AD may be extended 10 and 25 hours time in service respectively up to maximums of 110 and 525 hours time in service to allow accomplishment at previously scheduled maintenance periods.

E. Any equivalent means of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment supersedes Amendment 39-2171 (40 FR 16831, 16832) as amended by 39-2546 (41 FR 10878), AD 75-08-20.

This amendment becomes effective November 28, 1977.

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

(c)); and Sec. 11.89 of the Federal Aviation Regulations (14 CFR Sec. 11.89).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Kansas City, Missouri on November 9, 1977.

JOHN E. SHAW,
Acting Director, Central Region.

[FR Doc.33177 Filed 11-16-77;8:45 am]

[4910-13]

[Docket No. 77 WE-16-AD; Amdt. 39-3079]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Model DC-8 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts an airworthiness directive (AD) which requires repetitive inspections of the flap link support fittings on McDonnell Douglas Model DC-8 Series airplanes for stress corrosion/fatigue cracks to preclude failure of the fitting that could result in loss of a flap.

DATE: Effective December 23, 1977.

Compliance required within the next 1,500 landings after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 1,500 landings.

ADDRESSES: Persons affected by this AD may obtain copies of McDonnell Douglas DC-8 Service Bulletin 27-260 by writing to: McDonnell Douglas Corp., 3855 Lakewood Boulevard, Long Beach, Calif. 90846. Attention: L. A. Eisenbert, C1-750, 54-60.

Also, a copy of the service bulletin may be reviewed at, or a copy obtained from: Rules Docket in Room 916, FAA, 800 Independence Avenue, SW., Washington, D.C. 20591, or Rules Docket in Room 6W14, FAA Western Region, 15000 Aviation Boulevard, Hawthorne, Calif. 90261.

FOR FURTHER INFORMATION CONTACT:

Kyle L. Olsen, Executive Secretary Airworthiness Directives Review Board, Federal Aviation Administration, Western Region, P.O. Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009; telephone: 213-536-635.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive ultrasonic inspections of the flap link support fittings on McDonnell Douglas Model DC-8 Series airplanes was published in the FEDERAL REGISTER at 42 FR 41132. The proposal was prompted by reports of stress corrosion cracks developing at the side brace attach hole and by special testing which showed that those

cracks could then initiate fatigue cracking which could lead to failure of the flap support fittings and loss of a flap.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Several of the comments received suggested that an AD was unnecessary, as the operators have known of the cracking problem for some time and have been inspecting the fittings regularly. They also pointed out that no complete failure of the fitting has occurred in service. Several commenters pointed to the manufacturer's test results as showing that the fitting would take design load even with a crack.

The FAA believes that sufficient evidence exists to justify the issuance of mandatory inspection requirements. The DC-8 flap support fitting is a life-limited part because it does not provide an alternate load carrying capability in the event one fitting fails and thus is not failsafe. Tests have established that cracks will proceed slowly toward the side-brace hole, but then will fast-fracture in the opposite direction once the hole is reached. In that event, the load-carrying capability of the fitting would be severely compromised.

Most of the commenters requested that the AD provide for the use of frequent visual inspections as an alternative to the ultrasonic inspection. The FAA does not believe that visual inspections would be an adequate alternative to the ultrasonic inspection. The mode of crack propagation observed during tests was such that by the time the crack would have become visible from behind the side brace, it had entered the fast-fracture stage and progressed to total failure in a very few cycles.

Several commenters requested that if it is determined to be necessary to issue an AD, the compliance time be increased to allow them to fit the inspections into their normal inspections schedule. The FAA agrees that this is desirable and would not compromise the safety of the aircraft if ultrasonic inspections or equivalent are utilized. The initial and repetitive inspection times in the AD have been increased to 1,500 landings.

A commenter requested that the AD include provision for determining the heat treat of the fittings by reference to the part number. The FAA agrees this is feasible in most cases and the AD has been revised to allow this method, but with the requirement for using eddy current tests if it is not possible to make a positive identification by part number in any particular case.

A clarification was requested concerning whether the AD intended to require replacement of the fitting for all cracks or only for those cracks in the area of the side brace attach hole. The AD has been revised to more clearly indicate that the fitting must be replaced before further flight if a crack is found in the area of the side brace attach hole.

DRAFTING INFORMATION

The principal authors of this document are Everett W. Pittman, Aircraft Engineering Division, and Richard G. Wittry, Office of the Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Section 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new airworthiness directive.

McDONNELL DOUGLAS: Applies to Model DC-8 Series airplanes, certificated in all categories.

Compliance required as indicated.

To detect cracks and prevent failure of the flap link support fittings, comply with the following:

(a) Within the next 1,500 landings after the effective date of this AD, unless already accomplished, determine whether the flap link support fittings at stations X_{97.906}, X_{219.498} and X_{339.723} are 7075-T6 or 7075-T73 aluminum. If the fitting is 7075-T73 aluminum, no further action is necessary per this AD. If the fitting is 7075-T6 aluminum, accomplish Paragraph (b). Fitting material may be determined by reference to the part number. If fitting material cannot be positively identified by part number, the eddy current procedure of McDonnell Douglas DC-8 Service Bulletin 27-260, dated July 12, 1977, or later FAA approved revision, must be used. The following part number fittings are all 7075-T73 material.

7760081-513	7760081-517
7760081-514	7760081-518
7760081-515	7760081-519
7760081-516	7760081-520

(b) Within the next 1,500 landings after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 1,500 landings, perform the ultrasonic inspection procedure for cracks per McDonnell Douglas DC-8 Service Bulletin 27-260, dated July 12, 1977, or later FAA approved revision.

(c) Fittings failed or cracked in the side brace attach area must be replaced with like serviceable parts before further flight.

(d) Spare parts must be examined and identified in accordance with the procedures of DC-8 Service Bulletin 27-260, dated July 12, 1977, or later FAA approved revision, before installation on an airplane.

(e) Equivalent inspections and repairs may be used when approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(f) Special flight permits may be issued in accordance with FAR's 21.197 and 21.199 to authorize operation of an airplane to a base for the accomplishment of the inspections required by this AD.

(g) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains adequate substantiating data to justify the increase for that operator.

This amendment becomes effective December 23, 1977.

(Sec. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.89.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Los Angeles, Calif., on November 4, 1977.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.77-33049 Filed 11-16-77;8:45 am]

[4910-13]

[Docket No. 77-EA-31; Amdt. 39-3077]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Aircraft

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule (AD) applies to Piper PA 23-250 and PA-E23-250 type airplanes. It has been determined that to prevent fuel flow interruption due to adverse fuel vaporization during crossfeed operations, the flight manual for each aircraft must be amended.

EFFECTIVE DATE: November 18, 1977.

ADDRESSES: Piper Service Bulletins may be acquired from the manufacturer at Piper Aircraft Corp., 820 East Bald Eagle Street, Lock Haven, Pennsylvania 17745. A copy of the service bulletin is contained in the docket in the Office of Regional Counsel, FAA, Eastern Region, Jamaica, New York.

FOR FURTHER INFORMATION CONTACT:

F. Covelli, Propulsion Section, AEA-214, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, N.Y. 11430, telephone 212-995-2894.

SUPPLEMENTARY INFORMATION:

There had been reports of power loss occurring during crossfeed operations. It is believed that the power loss resulted from crossfeed operation with both left and right boost pumps on. Trapped fuel vapors can develop when one fuel selector valve is closed and both boost pumps are kept running. Considering the check valves in this system, there is no recirculation flow path to prevent heat buildup and resultant fuel vaporization. The new airplane flight manual procedures assure that the operative engine electric boost pump is turned off during crossfeed operation. In view of the effect on air safety, notice and public procedure hereon are impractical and good cause exists for making the rule (AD) effective in less than 30 days.

DRAFTING INFORMATION

The principal authors of this document are F. Covelli, Flight Standards Division, and Thomas C. Halloran, Esq., Office of the Regional Counsel.

It has been determined that the expected impact of the proposed regulation is so minimal that the proposal does not warrant an evaluation.

ADOPTION OF THE AMENDMENT

Accordingly, and pursuant to the authority delegated to me by the Administrator, Section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is

amended, as follows:

PIPER: Applies to Models PA-23-250 and PA-E23-250 Serial Numbers 27-2000 to 27-2504 (fuel injected only) and 27-2505 to 27-7754044

Compliance required within 10 hours in service after the effective date of this AD unless already accomplished.

In order to prevent fuel flow interruption and engine power loss due to possible adverse fuel vaporization during crossfeed operation, accomplish the following:

a. Incorporate the applicable flight manual revision, as listed below, into the FAA-DOA Approved Airplane Flight Manual in accordance with Piper Service Bulletin No. 530:

Airplane flight manual revisions

Airplane Ser. No.	Description	Piper report No.
Model PA-23-250:		
27-2000 to 27-2504 inclusive.	Fuel Injected Only.	1204
27-2505 to 27-3943 inclusive.	4,800 lb gross weight only.	1308
27-2505 to 27-3943 inclusive.	5,200 lb gross weight only.	1360
27-3837, 27-3944 to 27-4573 inclusive.	do.	1520
27-7654001 to 27-7754044 inclusive.	do.	1948
Model PA-E23-250:		
27-2505 to 27-3943 inclusive.	4,905 lb gross weight only.	1378
27-3837, 27-3944 to 27-4573 inclusive.	do.	1521
27-4574 to 27-7554168 inclusive.	do.	1631

b. The Chief, Engineering & Manufacturing Branch, AEA-210, FAA Eastern Region, may adjust the inspection interval specified in this airworthiness directive upon request of an owner or operator submitted with substantiating data through an FAA maintenance inspector.

c. The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Piper Aircraft Corp. 820 East Bald Eagle Street, Lock Haven, Pennsylvania 17745. These documents may also be examined at FAA Eastern Region Federal Building, JFK International Airport, Jamaica, New York 11430 and at FAA Headquarters, 800 Independence Avenue, SW., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C. and at the Federal Aviation Administration, Eastern Region. (Piper Service Bulletin No. 530, dated December 10, 1976, pertains to this subject.)

Effective date: This amendment is effective November 18, 1977.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, and 1423; Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c); and 14 CFR 11.89.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Jamaica, New York, on November 4, 1977.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.77-33047 Filed 11-16-77;8:45 am]

[4910-13]

[Docket No. 77-EA-78; Amdt. 39-3078]

PART 39—AIRWORTHINESS DIRECTIVES
Schweizer Aircraft

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule (AD) is applicable to Schweizer SGS 2-33, 2-33A and 2-33AK type gliders. It has been determined that deficiencies exist in the areas of the upper and lower attachment bolts on the spar to fuselage structure. An AD is being issued to require an inspection in the area.

EFFECTIVE DATE: November 18, 1977.

ADDRESSES: Schweizer Service Bulletins may be acquired from the manufacturer at Schweizer Aircraft Corp., Elmira, New York 14902. A copy of the service bulletin is contained in the docket in the Office of Regional Counsel, FAA, Eastern Region, Jamaica, New York.

FOR FURTHER INFORMATION CONTACT:

C. Birkenholz, Airframe Section, AEA-212, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, N.Y. 11430, telephone 212-995-2875.

SUPPLEMENTARY INFORMATION: While implementing a Directed Study Investigation (DSI) on the vertical stabilizer spar in the area adjacent to the upper and lower attachment bolts on the spar-to-fuselage structure, cracked spars, elongated bolt holes, corrosion, loose bolts and a wrong size bolt were reported. These deficiencies could exist or develop on other similar type gliders. Thus a rule is being issued requiring an inspection and repair or replacement where necessary. In view of the effect on air safety, notice and public procedure hereon are impractical and good cause exists for making the rule (AD) effective in less than 30 days.

DRAFTING INFORMATION

The principal authors of this document are C. Birkenholz, Flight Standards Division, and Thomas C. Halloran, Esq., Office of the Regional Counsel.

It has been determined that the expected impact of the proposed regulation is so minimal that the proposal does not warrant an evaluation.

ADOPTION OF THE AMENDMENT

Accordingly, and pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by adding the following new airworthiness directive, as follows:

SCHWEIZER: Applies to all Schweizer SGS 2-33, 2-33A and 2-33AK Gliders.

Compliance required as indicated.

(a) Within the next 25 hours in service, after the effective date of this AD, unless previously accomplished within the last 75 hours in service, visually inspect the vertical stabilizer spar-to-fuselage attachment bolts

and spar web in accordance with Schweizer Service Bulletin No. 102-33-2, dated September 2, 1977, or an approved equivalent inspection.

(b) Repeat the inspection specified in (a) at intervals not to exceed 100 hours in service or six months, whichever occurs first, from the last such inspection.

(c) Before further flight, repair cracked parts or elongated holes in accordance with the above Schweizer service bulletin, or with an approved equivalent repair, or replace defective parts with new parts of the same part number or with approved equivalent parts.

(d) Report all defects found during compliance with this AD to the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region (Reporting Approved by the Office of Management and Budget under OMB No. CAR0174).

(e) Recommended repairs noted in paragraph 1.g. and 1.h. of the service bulletin and equivalent inspections, repairs or parts must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

(f) Upon submission of substantiating data by an owner or operator through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region, may adjust the inspection interval specified in this AD.

Effective Date: This amendment is effective November 18, 1977.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, and 1423; Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c); and 14 CFR 11.89.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of a Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Jamaica, New York, on November 4, 1977.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc. 77-33048 Filed 11-16-77; 8:45 am]

[4910-13]

[Airspace Docket No. 77-80-46]

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

Alteration of Federal Airway and Reporting Point

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment changes the name of "Rocky Mount," N.C., VORTAC to "Tar River." This action reduces the multiple use of "Rocky Mount" in the Rocky Mount, N.C., area.

EFFECTIVE DATE: January 26, 1978.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Huff, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administra-

tion, 800 Independence Avenue, SW., Washington, D.C. 20591, telephone 202-426-3715.

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Subparts C and I of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to change the name of "Rocky Mount," N.C., VORTAC to "Tar River" in the description of Federal Airway V-157, V-189, V-194, V-213 and V-310, and in the list of domestic low altitude reporting points. This action is necessary due to the multiple use of "Rocky Mount" in this particular area. Since this amendment is a minor matter on which the public would have no particular desire to comment, notice and public procedure thereon are unnecessary.

DRAFTING INFORMATION

The principal authors of this document are Mr. Richard Huff, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subparts C and I of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 307 and 626) and amended (42 FR 7123 and 20620) are amended, effective January 26, 1978, as follows:

§ 71.123 [Amended]

Subpart C (§ 71.123)

In V-157, V-189, V-194, V-213 and V-310 all reference to "Rocky Mount" is deleted and "Tar River" is substituted therefor.

§ 71.123 [Amended]

SUBPART I

In § 71.203 "Rocky Mount" is deleted and "Tar River" is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 9, 1977.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 77-33052 Filed 11-16-77; 8:45 am]

[4910-13]

[Docket No. 17338; Amdt. No. 1098]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATE: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination.—(1) FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue SW., Washington, D.C. 20591; (2) The FAA Regional Office of the region in which the affected airport is located; or (3) The Flight Inspection Field Office which originated the SIAP.

For Purchase.—Individual SIAP copies may be obtained from: (1) FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue SW., Washington, D.C. 20591; or (2) The FAA Regional Office of the region in which the affected airport is located.

By Subscription.—Copies of all SIAPs, mailed once every 2 weeks, may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The annual subscription price is \$135.

FOR FURTHER INFORMATION CONTACT:

William L. Bersch, Flight Procedures and Airspace Branch (AFS-730), Aircraft Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone 202-426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the FEDERAL REGISTER expensive and impractical. Further, airmen do not use

the regulatory text of the SIAPs but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

The principal authors of this document are Rudolph L. Fioretti, Flight Standards Service, and Richard W. Danforth, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

*** effective January 26, 1978.

Modesto, CA—Modesto City-County Harry Sham Field, VOR Rwy 10L, Amdt. 7
Modesto, CA—Modesto City-County Harry Sham Field, VOR Rwy 28R, Amdt. 8
Santa Rosa, CA—Sonoma County, VOR Rwy 32, Amdt. 10
Stockton, CA—Stockton Metropolitan, VOR Rwy 29R, Amdt. 15
Minneapolis, MN—Flying Cloud, VOR Rwy 9L, Amdt. 8
Minneapolis, MN—Flying Cloud, VOR Rwy 36, Amdt. 4
Statesville, NC—Statesville Muni., VOR/DME Rwy 10, Orig.

Corpus Christi, TX—Corpus Christi International, VOR Rwy 17 (TAC), Amdt. 20
Laredo, TX—Laredo International, VOR Rwy 32 (TAC) Amdt. 2
Laredo, TX—Laredo International, VOR/DME Rwy 14 (TAC) Amdt. 2
League City, TX—Houston Gulf, VOR Rwy 13, Orig.

*** effective January 12, 1978.

Peru, IN—Peru Municipal, VOR Rwy 36, Original
Peru, IN—Peru Municipal, VOR/DME Rwy 36, Amdt. 1, cancelled
Wixom, MI—Spencer Field, VOR Rwy 36, Amdt. 1, cancelled
Wixom, MI—Spencer Field, VOR-A, Original
Houston, TX—William P. Hobby, VOR Rwy 13 (TAC) Amdt. 10
Lufkin, TX—Angelina County, VOR Rwy 33, Amdt. 11
Lufkin, TX—Angelina County, VOR/DME Rwy 15, Amdt. 1

*** effective December 29, 1977.

Huntsville, AL—Huntsville Airport North, VOR/DME-B, Orig.
Meridianville, AL—North Huntsville, VOR/DME-A, Amdt. 2, cancelled
Fresno, CA—Fresno Air Terminal, VORTAC Rwy 29R, Amdt. 3, cancelled
Kahului, HI—Kahului, VOR Rwy 2 (TAC), Amdt. 2
Kahului, HI—Kahului, VOR Rwy 20 (TAC) Amdt. 6
Kahului, HI—Kahului, VORTAC-A, Amdt. 2, cancelled
Kahului, HI—Kahului, VOR/DME Rwy 20 (TAC), Original
Kahului, HI—Kahului, VOR/DME-A (TAC), Original
Lacon, IL—Marshall County, VOR-A, Amdt. 1
Brazil, IN—Arthur Municipal, VOR Rwy 9, Amdt. 3
LaFayette, IN—Halsmer, VOR/DME-B, Amdt. 4
Houma, LA—Houma-Terrebonne, VOR/DME Rwy 12, Amdt. 1
Lebanon, NH—Lebanon Regional, VOR-A, Amdt. 13
Silver City, NM—Silver City-Grant County, VOR-A, Amdt. 4
Youngstown, OH—Youngstown Executive, VOR Rwy 11, Original
Medford, OR—Medford - Jackson County, VOR-A, Amdt. 1
Medford, OR—Medford - Jackson County, VOR/DME Rwy 14, Original
Medford, OR—Medford - Jackson County, VOR/DME-1, Rwy 14, Original, cancelled
Medford, OR—Medford - Jackson County, VOR/DME-2, Rwy 14, Amdt. 1, cancelled
Philadelphia, PA—Philadelphia, Int'l, VOR Rwy 9R, Amdt. 1, cancelled
Philadelphia, PA—Philadelphia, Int'l, VOR/DME-A, Original, cancelled
Big Spring, TX—Howard County, VOR Rwy 16, Amdt. 10
Liberty, TX—Liberty Municipal, VOR-A, Amdt. 3
Williamsburg/Jamestown, VA—Williamsburg-Jamestown, VOR-B, Original

*** effective December 15, 1977.

Provo, UT—Provo Municipal, VOR-A, Amdt. 3
Provo, UT—Provo Municipal, VOR/DME Rwy 13, Original

*** effective December 1, 1977.

Grand Island, NE—Hall County Regional, VOR Rwy 13, Amdt. 13
Grand Island, NE—Hall County Regional, VOR Rwy 17, Amdt. 17
Grand Island, NE—Hall County Regional, VOR Rwy 31, Amdt. 1
Grand Island, NE—Hall County Regional, VOR/DME Rwy 31 (TAC) Amdt. 1

Grand Island, NE—Hall County Regional, VOR/DME Rwy 35 (TAC) Amdt. 9

*** effective November 5, 1977.

Port Sulphur, LA—Port Sulphur Seaplane Base, VOR/DME-A, Amdt. 3

*** effective October 26, 1977.

Manning, SC—Clarendon County, VOR-B, Amdt. 4

Manning, SC—Clarendon County, VOR/DME-A, Amdt. 2

2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

*** effective January 26, 1978.

Corpus Christi, TX—Corpus Christi International, LOC (BC) Rwy 31, Amdt. 6

*** effective January 12, 1978.

Houston, TX—William P. Hobby, LOC BC Rwy 22, Amdt. 17

*** effective December 1, 1977.

Petersburg, AK—Petersburg, LDA/DME-D, Original

Grand Island, NE—Hall County Regional, LOC/DME BC Rwy 17, Amdt. 3

*** effective October 28, 1977.

Milwaukee, WI—General Mitchell Field, LOC Rwy 25L, Amdt. 3

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

*** effective January 26, 1978.

Modesto, CA—Modesto City-County-Harry Sham Field, NDB Rwy 28R, Amdt. 3

Stockton, CA—Stockton Metropolitan, NDB Rwy 29R, Amdt. 12

Camilla, GA—Camilla-Mitchell County, NDB Rwy 8, Orig.

Statesville, NC—Statesville Muni., NDB Rwy 20, Amdt. 2

Laredo, TX—Laredo International, NDB Rwy 17C, Amdt. 3

*** effective December 29, 1977.

Santa Monica, CA—Santa Monica Municipal, NDB-B Original, cancelled

Mount Pleasant, IA—Mount Pleasant Muni., NDB Rwy 33, Amdt. 2

*** effective December 15, 1977.

Lawrenceburg, TN—Lawrenceburg Muni., NDB-A, Amdt. 3

*** effective December 1, 1977.

Iliamna, AK—Iliamna, NDB Rwy 35, Original

Iliamna, AK—Iliamna, NDB-A, Amdt. 2, cancelled

Indianola, MS—Indianola Legion Fld, NDB Rwy 17, Amdt. 1

Indianola, MS—Indianola Legion Field, NDB Rwy 35, Amdt. 1

Grand Island, NE—Hall County Regional, NDB Rwy 35, Amdt. 3

*** effective October 26, 1977.

Manning, SC—Clarendon County, NDB Rwy 1, Amdt. 1

Note.—The FAA published an amendment in Docket No. 17302, Amdt. No. 1094 to Part 97 of the Federal Aviation Regulations (42 FR 55449; October 17, 1977) under section 97.27 effective December 1, 1977, which is hereby amended as follows: Oxford, Ct, Waterbury-Oxford, NDB Rwy 18, Amdt. 1, change effective date to January 26, 1978.

4. By amending § 97.29 ILS-MLS SIAPs identified as follows:

*** effective January 26, 1978.

Modesto, CA—Modesto City-County-Harry Sham Field, ILS Rwy 28R, Amdt. 7

Stockton, CA—Stockton Metropolitan, ILS Rwy 29R, Amdt. 16

Santa Rosa, CA—Sonoma County, ILS Rwy 32, Amdt. 4

Corpus Christi, TX—Corpus Christi International, ILS Rwy 13, Amdt. 17

Corpus Christi, TX—Corpus Christi International, ILS Rwy 35, Amdt. 2

Laredo, TX—Laredo International, ILS Rwy 17C, Amdt. 3

*** effective December 29, 1977.

Kahului, HI—Kahului, ILS Rwy 2, Amdt. 11

St. Louis, MO—Lambert-St. Louis Int'l, ILS Rwy 12R, Amdt. 12

Medford, OR—Medford-Jackson County, ILS Rwy 14, Amdt. 7

*** effective December 1, 1977.

Cordova, AK—Cordova Mile 13, ILS/DME Rwy 27, Amdt. 2

Grand Island, NE—Hall County Regional, ILS Rwy 35, Amdt. 4

*** effective November 7, 1977.

Watertown, NY—Watertown New York Int'l, ILS Rwy 7, Amdt. 2

*** November 3, 1977.

Detroit, MI—Detroit Metropolitan-Wayne County, ILS Rwy 3R, Amdt. 1

5. By amending § 97.31 RADAR SIAPs identified as follows:

*** effective December 29, 1977.

Troy, AL—Troy Muni., RADAR-1, Amdt. 2

*** effective November 3, 1977.

Detroit, MI—Detroit Metropolitan-Wayne Co., RADAR-1, Amdt. 11

6. By amending § 97.33 RNAV SIAPs identified as follows:

*** effective January 26, 1978.

Statesville, NC—Statesville Muni., RNAV Rwy 02, Orig.

Platteville, WI—Grant County, RNAV Rwy 25, Original

Platteville, WI—Platteville Municipal, RNAV Rwy 7, Orig., cancelled

*** effective January 12, 1978.

Lufkin, TX—Angelina County, RNAV Rwy 7, Amdt. 1

Lufkin, TX—Angelina County, RNAV Rwy 15, Amdt. 2

*** effective December 29, 1977.

Freeport, IL—The Albertus, RNAV Rwy 6, Original

Lafayette, IN—Purdue University, RNAV Rwy 28, Original

*** effective December 1, 1977.

Grand Island, NE—Hall County Regional, RNAV Rwy 31, Amdt. 3

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. §§ 1348, 1354 (a), 1421, and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Delegation: 25 FR 6489 and Paragraph 802 of Order FS P 1100.1, as amended March 9, 1973.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 11, 1977.

JAMES M. VINES,
Chief, Aircraft Programs Division.

NOTE.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on May 12, 1969.

[FR Doc. 77-33178 Filed 11-16-77; 8:45 am]

[4710-01]

Title 22—Foreign Relations
CHAPTER I—DEPARTMENT OF STATE
SUBCHAPTER G—INTERNATIONAL
EDUCATIONAL AND CULTURAL EXCHANGE
[Departmental Regulation 108.747]
PART 63—EXCHANGE-VISITOR
PROGRAM

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: Under the Health Professions Educational Assistance Act of 1976 (Pub. L. 94-484, Title VI, Foreign Medical Graduates) as amended by Pub. L. 95-83, aliens who come to the United States to participate in graduate medical education or training under the Exchange-Visitor Program are now limited to a two-year stay. The Department's regulations for the Exchange-Visitor Program are amended to conform to this new limitation.

EFFECTIVE DATE: January 10, 1978.

FOR FURTHER INFORMATION CONTACT:

Paul A. Cook, 703-235-9436.

SUPPLEMENTARY INFORMATION: The present regulations of the Department of State for the Exchange-Visitor Program limit the period of stay in the United States for professional trainees to 5 years. In accordance with Pub. L. 94-484 as amended, the time limitation is changed to 2 years, except that the period of stay may be extended for one additional year at the request of the government of his or her nationality or last residence, if such government provides a written assurance, satisfactory to the Secretary of Health, Education, and Welfare that certain criteria for the foreign medical graduate are met.

The Department's regulations pertaining to professional trainees under the Exchange-Visitor Program are amended to conform to the new limitation of 2 years, as required by the Act as amended. Additional changes are also made to reflect current procedures now followed in administering the program and editorial changes are made to conform with the FEDERAL REGISTER format.

Accordingly, Part 63 of Title 22 of the Code of Federal Regulations is revised to read as set forth below.

Subpart A—General

- Sec.
63.1 Definitions.
63.2 Types of participants.

Subpart B—Exchange-Visitor Programs

- 63.11 Application for Exchange-Visitor Program designation.
63.12 Sponsor obligations.
63.13 Duties of Responsible Officer.
63.14 Action on applications for Exchange-Visitor Program designation.
63.15 Assignment of serial number.
63.16 Revocation of designation.

Subpart C—Exchange Visitors

- 63.21 Notification to Exchange Visitors; summary of instruction to apply for J visas and entries.
63.22 Applications for change or adjustment of status to or from Exchange Visitor, for extensions, and for program transfers.
63.23 General limitations of stay.
63.24 Prohibition of employment not related to program; exception for students in certain circumstances; possible exception for immediate family.

Subpart D—Waiver Procedures in Certain Cases

- 63.31 Requests for waivers of the home-country physical presence requirement of the Immigration and Nationality Act, as amended.
63.32 Action by the Secretary on requests for waivers.

AUTHORITY: The provisions of this Part 63 issued under sec. 4, 63 Stat. 111; secs. 102, 109 (a), (b), (d), 75 Stat. 527, 534, 535; secs. 101(a)(15)(J), 104(a), 212(e), 66 Stat. 166, 174, 182, 184; sec. 2, 84 Stat. 116, 177 (22 U.S.C. 2658, 2452; 8 U.S.C. 1101(a)(15)(J), 1104(a), 1182(e), 1258); Title VI, Pub. L. 94-484, 90 Stat. 2300.

Subpart A—General

§ 63.1 Definitions.

The following definitions shall be applicable to this part:

"Act" means the Mutual Educational and Cultural Exchange Act of 1961, as amended;

"Country of nationality or last residence" means either the country of which the exchange visitor was a national at the time status as an exchange visitor was acquired or the last foreign country in which the visitor had permanent or legal residence before acquiring status as an exchange visitor;

"Department" means the Department of State of the United States of America;

"Exchange Visitor" means a "participant" and the "immediate family" of such participant as defined in this section;

"Exchange-Visitor Program" means a program of a sponsor designed to promote interchange of persons, knowledge and skills, and the interchange of developments in the field of education, the arts and sciences, and concerned with one or more categories of "participants" as defined in this section, which has been designated as such by the Secretary of State, to promote mutual understanding between the people of the United States and the people of other countries;

"Financed directly" means financed in whole or in part by the U.S. Government or the government of the participant's nationality or last residence with funds contributed directly to or for the use of the participant in connection with participation in an Exchange-Visitor Program;

"Financed indirectly" means (a) financed by an international organization, with funds contributed by either the United States or the participant's government for use in financing such exchanges, or (b) financed by an organization or institution, with funds made available by either government for the specific purpose of furthering such international exchange;

"Home-country physical presence requirement" means the requirement that a participant who is within the purview of section 212(e) of the Immigration and Nationality Act, as amended by section 2 of the Act of April 7, 1970, Pub. L. 91-225 (84 Stat. 116, 117), substantially quoted in § 63.31(a), must reside and be physically present in the country of nationality or last residence for an aggregate of at least 2 years following departure from the United States before the participant is eligible to apply for an immigrant visa or for permanent residence, or for a nonimmigrant H visa as a temporary worker or trainee, or for a nonimmigrant L visa as an intracompany transferee, or for a nonimmigrant H or L visa as the spouse or minor child of a person who is a temporary worker or trainee or an intracompany transferee.

"Immediate family" means the alien spouse and minor unmarried children of a participant who are accompanying or following to join the participant and who are seeking to enter or have entered the United States temporarily on a J-2 visa or are seeking to acquire or have acquired such status after admission;

"Participant" means any foreign national who has been selected by a sponsor to participate in an Exchange-Visitor Program and who is seeking to enter or has entered the United States temporarily on a J-1 visa, or who is seeking to acquire or has acquired such status after admission, including, but not limited to the categories listed in § 63.2;

"Participant's government" means the government of the country or the participant's nationality or his last residence;

"Person with required knowledge or skill" means a participant who has specialized or expects to specialize in a field of knowledge or skill which is clearly required by the country of nationality or last residence, as designated by the Secretary in a separate schedule;

"Responsible Officer" means the official of an organization sponsoring an Exchange-Visitor Program who has been listed with the Department as being responsible for administering the program and carrying out the obligations which the organization assumes in undertaking to sponsor a program (see § 63.13). The designation of an alternate Responsible Officer is permitted and encouraged;

"Secretary" means either the Secretary of State of the United States of America or an officer duly designated by the Secretary;

"Sponsor" means any reputable U.S. agency or organization or recognized international agency or organization having U.S. membership and offices which makes application as hereinafter prescribed to the Secretary for designation of a program under its sponsorship as an Exchange-Visitor Program and whose application is approved.

§ 63.2 Types of participants.

Participants include, but are not limited to the following types:

(a) A "student," for the purpose of pursuing formal courses, or any combination of courses, research, or teaching, leading to a recognized degree or certificate, in an established school or institution of learning; or

(b) A "trainee," for the purpose of obtaining practical training in a specialized field of knowledge and skill. An exchange visitor is considered a trainee (1) when the visitor pursues a training program after receipt of a degree or recognized certificate from a U.S. educational institution, or (2) when the visitor enters the United States initially for the purpose of training at a business or industrial institution; or

(c) A "teacher," for the purpose of teaching in established primary or secondary schools, or established schools offering specialized instruction; or

(d) A "professor," for the purpose of teaching or conducting advanced research, or both, in an established institution of higher learning; or

(e) A "research scholar" or "specialist," for the purpose of undertaking or participating in research; or

(f) An "international visitor," for the purpose of travel, observation, consultation, research, training, sharing, or demonstrating specialized knowledge or skills, or participating in organized people-to-people programs; or

(g) A "professional trainee," for the purpose of pursuing clinical training in the medical and allied fields.

Subpart B—Exchange-Visitor Programs

§ 63.11 Application for Exchange-Visitor Program designation.

Any intending sponsor may apply to the Secretary for designation of a program under its sponsorship as an Exchange Visitor Program. Such application shall be made on Form DSP-37 "Exchange-Visitor Program Application." The application shall be completed in all details and shall be submitted to the Secretary with required supporting documentation. The officer who signs the application thereby indicates a willingness to assume the duties of the responsible officer for administering its program if it is designated. Official correspondence concerning a designated program will be conducted only between the Department and the responsible officer or duly designated alternate.

§ 63.12 Sponsor obligations.

Each sponsor shall assume in the application the obligation to:

(a) Notify the District Director of the Immigration and Naturalization Service having administrative jurisdiction over a participant's place of temporary residence if the sponsor terminates an alien's participation in the Exchange-Visitor Program or when a participant: (1) Remains in the United States beyond the period of stay authorized by the Immigration and Naturalization Service as shown on the alien's Form I-94, or (2) has ceased to maintain exchange-visitor status, or (3) has completed the activity and objective for which the visitor entered the United States and is due to depart;

(b) Provide guidance to participants to enable them to complete the objective for which they sought entry into the United States and to return abroad in accordance with the general limits of stay contained in § 63.23;

(c) Instruct any participant requiring a temporary extension of stay to apply to the Immigration and Naturalization Service between 15 and 30 days before the expiration of the participant's stay and provide the participant requiring the extension with a fully completed Form DSP-66 showing the period and terms of the extension desired;

(d) Sign Part III of Form DSP-66 after Part I has been completed by the responsible officer of the program to which an exchange visitor wishes to transfer if further participation under another Exchange-Visitor Program is considered necessary or desirable to enable the visitor to realize the stated objective;

(e) Submit such reports as may be required by the Department for the purposes of program review and evaluation;

(f) Comply with specific criteria issued by the Department for certain types of programs;

(g) Discharge such other obligations as the Department may inform the sponsor are required in the administration of a particular program.

§ 63.13 Duties of responsible officer.

It is the duty of the responsible officer to:

(a) Conduct all correspondence relating to the program with the Department, the Immigration and Naturalization Service or American consular officers. (Reference to the organization's Exchange-Visitor Program by its assigned serial number should always be made in such correspondence as required by § 63.15.);

(b) Advise and assist all participants in the program or programs in their relations with the Department, the Immigration and Naturalization Service or American consular officers;

(c) Execute, sign, and control the issuance of Form DSP-66 in accordance with instructions of the Department;

(d) Certify that the activity in which the exchange visitor will engage is one which is authorized under the terms of the official description of the program;

(e) Upon receiving a Form DSP-66, where Part I is completed by another sponsor to whose Exchange-Visitor Program the exchange visitor is transferring, complete Part III when the transfer to the other Exchange-Visitor Program is considered to be clearly within the objective for which the alien sought entry into the United States;

(f) Advise any exchange visitor whose program will extend beyond the authorized stay and/or who desires a transfer to another Exchange-Visitor Program as described in § 63.22 (b) and (c), that the visitor must apply to the Immigration and Naturalization Service for permission, presenting to that Service a newly completed and executed Form DSP-66 and the temporary entry permit Form I-94 (Arrival-Departure Record) inserted in the visitor's passport by that Service;

(g) Notify the District Director of the Immigration and Naturalization Service in accordance with paragraph (a) of § 63.12 if the sponsor terminates an alien's participation in the Exchange-Visitor Program or when a participant: (1) Remains in the United States beyond the period of stay authorized by the Immigration and Naturalization Service as shown on the alien's Form I-94; (2) has ceased to maintain exchange-visitor status (including the circumstances involved); or (3) has completed the activity and objective for which the visitor entered the United States and is due to depart. The notification should include the alien's full name, date and place of birth, and, if known, the date and port of departure, identity of the transportation medium, and the visitor's alien registration number;

(h) Submit requests for supplies of Form DSP-66 to the Department and control supplies forwarded (requests from persons other than the Responsible Officer or the alternate will not be honored);

(i) Inform the Department when the Responsible Officer or the alternate listed in the Department's records will no longer act in this capacity and supply the name and title of the official who will henceforth assume such responsibility;

(j) Inform personnel within the sponsoring organization concerning its sponsorship of an Exchange-Visitor Program, with particular reference to the functions of the Responsible Officer;

(k) Inform the Department when the organization wishes to discontinue sponsorship of an Exchange-Visitor Program or when it wishes to amend its description;

(l) Prepare and submit required reports as described in paragraph (e) of § 63.12;

(m) Respond to requests from the Department and/or the Immigration and Naturalization Service for the views of the sponsor with regard to applications involving waivers of the two-year home-country physical presence requirement for exchange visitors who are or were sponsored by that institution.

§ 63.14 Action on applications for Exchange-Visitor Program designation.

(a) An application for program designation on Form DSP-37 submitted to the Secretary shall be examined to ascertain the adequacy of the information furnished. If sufficient information has not been furnished, the intending sponsor shall be requested to supply information in which the application is deficient. In addition to the information furnished on Form DSP-37, the Secretary may require an intending sponsor to present any evidence of a documentary nature, such as program reports, institutional catalogues, letters of recognition, accreditation, certification or approval, which the Secretary may consider necessary in determining the eligibility of the program to be designated as Exchange-Visitor Program.

(b) Upon receipt and consideration of the Form DSP-37, including any required additional evidence, the Secretary has the discretion to designate or to deny, the sponsor's program as an Exchange-Visitor Program. The Secretary will notify the sponsor in writing of the decision. Any designation by the Secretary of an Exchange-Visitor Program other than a program sponsored by the Department's Bureau of Educational and Cultural Affairs will not obligate the Secretary or the Department in any way with respect to the financial operation of the program or imply any financial responsibility by the Secretary or the Department for participants in such a program.

§ 63.15 Assignment of serial number.

(a) If designation is made, the program will be assigned a number within one of the following series:

G-1—Programs sponsored by the Bureau of Educational and Cultural Affairs, Department of State.

G-2—Programs sponsored by the Agency for International Development.

G-3—Programs sponsored by the U.S. Information Agency.

G-4—Programs sponsored by international agencies or organizations in which the U.S. Government participates.

G-5—Programs sponsored by other national, State, or local governmental agencies.

P-1—Programs sponsored by educational institutions such as schools, colleges, universities, seminaries, libraries, museums, and institutions devoted to scientific and technological research.

P-2—Programs sponsored by hospitals and related institutions.

P-3—Programs sponsored by nonprofit associations, foundations, and institutes.

P-4—Programs sponsored by business and industrial concerns.

(b) The sponsor will thereafter refer to the assigned serial number in any correspondence with the Secretary, consular officers, or the Immigration and Naturalization Service concerning its Exchange-Visitor Program or any participant in such program.

§ 63.16 Revocation of designation.

The designation of any Exchange-Visitor Program may be revoked at the

discretion of the Secretary for any sufficient cause, including, but not limited to:

- (a) Failure to maintain educational or training standards as established by competent professional agencies;
- (b) Failure to submit complete and accurate reports on program operations when requested by the Secretary;
- (c) Misuse of the Exchange-Visitor Program;
- (d) Failure to comply with criteria referred to in § 63.12(f).

Subpart C—Exchange Visitors

§ 63.21 Notification to Exchange Visitors; summary of instruction to apply for J visas and entries.

(a) The Responsible Officer or alternate shall execute a Form DSP-66, "Certificate of Eligibility for Exchange-Visitor (J-1) Status", and furnish copies one through three to each selected participant for presentation to the American consular officer abroad in applying for a J-1 visa. Copy four of the form should be kept by the Responsible Officer for the records of the sponsoring institution or agency. The Responsible Officer or alternate is required to furnish in the Form DSP-66 the time and terms of the proposed exchange visit which must be demonstrably within the activities contained in the duly authorized description of the Exchange-Visitor Program concerned. The Responsible Officer or alternate should also instruct the alien to read and complete the participant's Certificate which is printed on the back of Form DSP-66 prior to presentation to a consular officer (or immigration officer, if exempt from visa requirements) and to sign and date it upon presentation to the officer.

(b) Copies one through three of the Form DSP-66 which are presented to the consular officer for a visa will be returned to the participant and upon arrival at a U.S. port of entry, the participant must present and relinquish copies one, two and three to the examining immigration inspector of the Immigration and Naturalization Service, who will indicate the authorized length of stay and return copy two to the participant to use for visa revalidation or reentry to the United States in the event that the participant should leave the country temporarily during the period of the program. The immigration inspector will retain copy one and forward copy two to the Department.

(c) Members of the participant's immediate family accompanying the exchange visitor may apply for J-2 visas and entry into the United States on the basis of the Form DSP-66 issued to the participant. If members of the immediate family are following to join the participant, they must present to the American Consular Officer (unless exempt from visa requirements) and to the examining officer of the Immigration and Naturalization Service at the port of entry in the United States, a newly executed Form DSP-66 marked "To Permit the Visitor's Family to Enter the U.S. Separately"

prepared and authenticated by the Responsible Officer or Alternate Responsible Officer. Only one such marked form is required for each party of family members traveling separately from the exchange visitor. The form must contain all entries and information shown on the DSP-66 issued to the principal except for page 2 which need not be filled out.

§ 63.22 Applications for change or adjustment of status to or from Exchange Visitor, for extensions, and for program transfers.

(a) *Change of status to Exchange Visitor.* An application for change of status to Exchange Visitor shall be made by the prospective exchange visitor who has been admitted into the United States as a nonimmigrant and is eligible for change of status in accordance with the provisions of section 248 of the Immigration and Nationality Act, as amended, to the office of the Immigration and Naturalization Service having administrative jurisdiction over the participant's place of temporary residence. Such application must be accompanied by Form DSP-66 properly executed by the sponsor and the intending participant. Upon request of the Immigration and Naturalization Service officer to whom such application is made, the Department will furnish its views in any case in which the officer (1) cannot determine from the evidence submitted that the program proposed for the participant is clearly within the scope of the designation of the Exchange-Visitor Program concerned, or (2) has doubt, considering among other factors the applicant's length of stay and previous activities in the United States, as to whether the best interests of the international educational and cultural exchange program would be served by this change of status. The application of the immediate family, if not made on the same occasion as the participant's, must be accompanied by a Form DSP-66 issued to the participant, authenticated by the Responsible Officer for the Exchange-Visitor Program or by the alternate Responsible Officer whose name has been recorded with the Department, to show that the participant is still under that program and to show the authorized period of stay of the participant.

(b) *Extension of stay.* (1) Application for extension of stay shall be made between 15 and 30 days before the expiration of the exchange visitor's authorized stay to the District Director of the Immigration and Naturalization Service having administrative jurisdiction over the participant's place of temporary residence. The authorized period of stay is noted on Form I-94 (Arrival-Departure Record) inserted in the exchange visitor's passport by the Immigration and Naturalization Service.

(2) A participant applying for an extension of stay shall present Form DSP-66 properly completed and endorsed by the sponsor to show the time and terms of the extended stay for which application is made. As a general rule, applications for extensions of stay should

be requested only for continuation of the activity for which the participant obtained status as an exchange visitor, not for a new activity. When the application, if approved, would extend the participant's stay beyond the limitation specified in § 63.23, it must be strongly supported by the sponsor with evidence that there are exceptional circumstances or that additional time is required to complete highly specialized training, and that the participant's future intentions clearly involve participant's departure from the United States in accordance with the objectives of the Exchange-Visitor Program. If the applicant is accompanied by applicant's immediate family, the sponsor should attach to Form DSP-66: (i) A statement on the sponsor's letterhead giving for each accompanying family member for whom extension is requested the name, relationship to the exchange visitor, nationality, place and date of birth, passport number, passport expiration date and passport issuing country; and (ii) Form I-94 (Arrival-Departure Record) for each.

(3) Upon request of the Immigration and Naturalization Service, the Department will furnish its views in all cases in which an extension is sought to enable the participant to carry out a new activity under the sponsor's program.

(4) The application of the immediate family, if not made simultaneously with the participant's application, must be accompanied by a newly executed Form DSP-66 identical to the one issued to the participant, properly endorsed by the sponsor to show the time and terms of the extended stay for which the participant has qualified (See § 63.21(c)). The following should be attached to the Form DSP-66: (i) A statement on the sponsor's letterhead giving for each accompanying family member the relationship to the exchange visitor, nationality, place and date of birth, number, issuing country and expiration date of the family member's passport; and, (ii) Form I-94 (Arrival-Departure Record) for each.

(c) *Program transfer.* (1) An application for permission to transfer from one designated Exchange-Visitor Program to another must be submitted to the District Director, Immigration and Naturalization Service, having administrative jurisdiction over the participant's place of temporary residence in the United States, by the participant concerned between 15 and 30 days before participation in the program to which the participant wishes to transfer is scheduled to begin. A participant applying for a program transfer shall present a duly executed Form DSP-66, Part I completed by the prospective sponsor, and Part III, by the releasing sponsor. The reverse side must also be completed in accordance with the instructions which are printed on the form.

(2) Before acting on the participant's application for permission to transfer, the District Director may request the views of the Department as to whether the best interests of the international

educational and cultural exchange program will be served by the transfer in any case in which (i) the applicant is unable to present a Form DSP-66 with Part III duly executed by the current sponsor, (ii) it appears that the transfer is for the purpose of extending the stay of the participant in the United States beyond the completion of the objective for which the participant came, or (iii) the participant does not appear to be making clear progress toward a definite objective consistent with the intent and purposes of the Act.

(d) *Adjustment of status from exchange visitor to permanent resident or change to another nonimmigrant category.* (1) Adjustment of status from exchange visitor to permanent resident is possible only if the two-year home-country physical presence requirement of section 212(e) of the Immigration and Nationality Act, as amended, is inapplicable or waived. (See § 63.31 for a substantial quotation of section 212(e) and for regulations regarding waivers.) An application for adjustment of status must be made by the participant to the District Director, Immigration and Naturalization Service, having jurisdiction over the participant's place of temporary residence in the United States.

(2) An application for change of status from exchange visitor to another nonimmigrant category must be made to the District Director, Immigration and Naturalization Service, having jurisdiction over the participant's place of temporary residence in the United States. The Immigration and Naturalization Service has directed that the District Director will not grant a change to nonimmigrant status under section 101(a)(15)(A) or (G) of the Immigration and Nationality Act unless the Department advises the District Director that the applicant is qualified for classification thereunder.

§ 63.23 General limitations of stay.

(a) To insure that exchange visitors remain in the United States only so long as is necessary to satisfy their stated objectives and the intent of the Act, the following general limits on the period of stay of exchange visitors are hereby established. Exceptions to these limitations will be permitted only in unusual circumstances:

(1) *Participants.* (i) Students—as long as they pursue substantial scholastic programs leading to recognized degrees or certificates. After receiving degrees or certificates from the U.S. institution, students whom the sponsor recommends for practical training may be permitted to remain for such purpose for an additional period of up to 18 months.

(ii) Teachers, professors, research scholars and specialists—3 years.

(iii) International visitors—1 year.

(iv) Professional trainees—2 years for an alien who is a graduate of a medical school pursuing graduate medical education or training in the United States. A 1-year extension may be granted beyond 2 years only if the separately published

criteria for aliens who are graduates of a medical school are met. (See § 63.12 (f))

(v) Graduate nurses—2 years.

(vi) Medical technologists, medical record librarians, medical record technicians, radiologic technicians, nurse anesthetists, and other participants in similar categories—length of the approved training program plus a maximum of 18 months for practical training, not to exceed a total of 3 years.

(vii) Business and industrial trainees—18 months.

(2) *The immediate family.* As long as the participant remains.

(b) The limitations in this section prescribe, as a general rule, the maximum stays of exchange visitors in the categories cited. A participant who is able to complete the stated program objective in less than the maximum length of time will be expected to return abroad to comply with the purposes of the Act. These limitations apply regardless of the number of Exchange-Visitor Programs in which the visitor participates. Therefore, transfer from one Exchange-Visitor Program to another will not extend the stay of a participant beyond the limits set for a particular category. These limitations should not be construed as extending or changing in any way the authorized period of stay specified in the official description of an Exchange-Visitor Program.

§ 63.24 Prohibition of employment not related to program; exception for students in certain circumstances; possible exception for immediate family.

(a) *General.* Except as provided in paragraph (b) of this section for students in certain circumstances, an exchange visitor who engages in activities that both produce income from U.S. sources and are unrelated to the participant's program ceases to maintain lawful status in the U.S. as an exchange visitor. (See paragraph (e) of his section for exception in regard to immediate family.)

(b) *Exception for students.* An exchange-visitor student's status is not subject to curtailment as stated in paragraph (a) of this section if all the following conditions are met:

(1) Such employment is required by an urgent financial need which has arisen since acquiring Exchange Visitor status;

(2) It does not cause the participant to reduce preparation and studies below the full-time level; and,

(3) It has the written approval of the sponsor signed by the Responsible Officer or alternate Responsible Officer.

(c) *Limitation on workweek for students.* No full-time employment (40 hours per week) or employment approaching the nature of full-time employment may be approved for an exchange-visitor student by the sponsor, except during periods of school vacation.

(d) *Certain student employment exempted from paragraph (b) (1).* Remunerative employment of an exchange-visitor student who is otherwise taking a full course of study pursuant to the terms of a scholarship, fellowship, or assistantship, is considered to be a part of the individual's academic program if the employment is both on campus and is related to the participant's course of study. Such employment is not subject to the provision of paragraph (b) (1) of this section.

(e) *Possible exception for immediate family.* Immediate family members may accept employment in the United States only if authorized to do so by the District Director of the Immigration and Naturalization Service having jurisdiction over the place where the participant is sojourning temporarily. (See 8 CFR 214.2(j) (1).)

Subpart D—Waiver Procedures in Certain Cases

§ 63.31 Requests for waivers of the home-country physical presence requirement of the Immigration and Nationality Act, as amended.

(a) *General provisions.* Section 212(e) of the Immigration and Nationality Act, as amended, provides substantially in part that:

(1) No person admitted under section 101(a)(15)(J) or acquiring such status after admission (i) whose participation in the program was financed in whole or in part, directly or indirectly, by an agency of the Government of the United States or by the government of the country of the participant's nationality or last residence, or (ii) who at the time of admission or acquisition of status under section 101(a)(15)(J) was a national or resident of a country which the Secretary of State, pursuant to regulations prescribed by the Secretary, had designated as clearly requiring the services of persons engaged in the field of specialized knowledge or skill in which the participant was engaged, shall be eligible to apply for an immigrant visa, or for permanent residence, or for a nonimmigrant visa under section 101(a)(15)(H) or section 101(a)(15)(L) until it is established that such person has resided and been physically present in the country of such person's nationality or last residence for an aggregate of at least 2 years following departure from the United States;

(2) Upon the favorable recommendation of the Secretary of State, pursuant to the request of an interested United States Government agency, or of the Commissioner of Immigration and Naturalization after the latter has determined that departure from the United States would impose exceptional hardship upon the alien's spouse or child (if such spouse or child is a citizen of the United States or a lawfully resident alien), or that the alien cannot return to the country of the alien's nationality or last residence because the alien would be subject to persecution on account of race, religion, or political opinion, the

Attorney General may waive the requirement of such two-year foreign residence abroad in the case of any alien whose admission to the United States is found by the Attorney General to be in the public interest.

(3) The Attorney General may, upon the favorable recommendation of the Secretary of State, waive such two-year foreign residence requirement in the case of any participant (except an alien who is a graduate of a medical school pursuing a program in graduate medical education or training) if the foreign country of the alien's nationality or last residence has furnished the Secretary of State a statement in writing that it has no objection to such a waiver in the case of the alien.

(b) *Exceptional hardship to United States citizen or lawfully resident alien spouse or child or probable persecution for enumerated reason.* (1) an application for waiver on the basis that a two-year period of residence abroad would impose exceptional hardship upon the exchange visitor's spouse or child (if such spouse or child is a citizen of the United States or a lawfully resident alien), or, on the basis that return to the country of nationality or last residence would subject the exchange visitor to persecution on account of race, religion, political opinion, nationality, or membership of a particular social group, shall be submitted by the exchange visitor to the office of the Immigration and Naturalization Service having administrative jurisdiction over the exchange visitor's place of temporary residence in the United States, or if the exchange visitor is abroad, over the visitor's last place of residence in the United States.

(2) If the Commissioner of Immigration and Naturalization determines that compliance with the home-country physical presence requirement would impose exceptional hardship upon the spouse or child who is an American citizen or permanent resident alien, or, would subject the alien to persecution on account of race, religion, political opinion, nationality, or membership of a particular social group, the finding showing such determination together with a summary of the details of the expected hardship or persecution will be submitted to the Bureau of Educational and Cultural Affairs of the Department for the Secretary's recommendation.

(c) *Interested U.S. Government agency or statement of no objection by home country.* Applications for the favorable recommendation of the Secretary for a waiver on the basis of a request from an interested U.S. Government agency, or on the basis of a statement from the exchange visitor's country of nationality or last residence to the Secretary that it has no objection to a waiver, shall be initiated with the Bureau of Educational and Cultural Affairs of the Department in the following manners:

(1) *Interested U.S. Government agency.* When the application is sup-

ported by an interested U.S. Government agency other than the Department, the head of such agency or duly appointed designee must submit a statement in writing to the Bureau of Educational and Cultural Affairs of the Department, in which the agency head or designee determines and attests that, from the point of view of the agency (i) the granting of the waiver would be in the public interest and (ii) the exchange visitor's compliance with the two-year home-country physical presence requirement would be clearly detrimental to a program or activity of official interest to the agency. Further, the statement shall identify by name and location the organization which will use the exchange visitor's services, and indicate the participant's place of residence in the United States. If deemed appropriate, the Department may request the views of each of the exchange visitor's sponsors concerning the waiver application.

(2) *No objection by home country.* When the application is to be supported by a statement of no objection by the exchange visitor's country of nationality or last residence, this statement shall be directed to the Secretary through official channels, i.e., from the country's foreign office to the Department through the U.S. mission in the foreign country concerned, or through the country's head of mission or duly appointed designee to the Secretary in the form of a diplomatic note. In addition to the statement indicating that the country concerned has no objection to the waiver, the exchange visitor must, upon request, submit the following information to the Bureau of Educational and Cultural Affairs: (i) Full name; (ii) place and date of birth; (iii) present address in the United States or last address in the United States prior to departure; (iv) list of Exchange-Visitor Programs (or Program) in which the individual participated; (v) Alien Registration Number, if known; (vi) name of foreign government official with whom the case can be discussed if necessary; (vii) specific reasons for not wishing to fulfill the two-year home-country physical presence requirement; and (viii) the views of each of the visitor's sponsors concerning the waiver application.

§ 63.32 Action by the Secretary on requests for waivers.

Upon receipt of a request for a recommendation of waiver of the home-country physical presence requirement of section 212(e) of the Immigration and Nationality Act, as amended, the Secretary will review the policy, program, and foreign relations aspects of the case and will transmit a recommendation to the Attorney General for decision. The exchange-visitor will be advised of the decision in the case by the Immigration and Naturalization Service.

Dated: November 5, 1977.

For the Secretary of State.

BEN H. READ,
Deputy Under Secretary for
Management.

[FR Doc. 77-33208 Filed 11-16-77; 8:45 am]

[4410-01]

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 755-77]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Technical Amendments Relating To the Office of the Associate Attorney General

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This order revises the Department of Justice regulations to conform with the provisions of Pub. L. 95-139, approved October 19, 1977, which established the position of Associate Attorney General and provided that the Associate Attorney General shall act as Attorney General when, by reason of absence, disability, or vacancy in office neither the Attorney General nor the Deputy Attorney General is available to exercise the duties of that office.

EFFECTIVE DATE: November 7, 1977.

FOR FURTHER INFORMATION CONTACT:

John M. Harmon, Assistant Attorney General, Office of Legal Counsel, Department of Justice, Washington, D.C. 20530, 202-739-2041.

By virtue of the authority vested in me by 28 U.S.C. 508, 509, and 510, and 5 U.S.C. 301, Part 0 of Chapter I of Title 28, Code of Federal Regulations is amended as follows:

§ 0.1 [Amended]

1. Section 0.1 of Subpart A is amended by inserting "Office of the Associate Attorney General" immediately after "Office of the Deputy Attorney General" and by removing it from its present location in the list of Offices of the Department.

§ 0.3 [Redesignated as § 0.19]

2. A new Subpart C-1 is added, § 0.3 is redesignated § 0.19 and its caption and the first sentence are revised to read as follows:

SUBPART C-1—OFFICE OF THE ASSOCIATE ATTORNEY GENERAL.

§ 0.19 General functions.

The Associate Attorney General shall advise and assist the Attorney General in formulating and implementing Departmental policies and programs, shall provide overall supervision and direction of certain organizational units of the Department, as provided in this chapter, and shall:

3. Section 0.132 of Subpart W is revised to read as follows:

§ 0.132 Designating officials to perform the functions and duties of certain offices in case of absence, disability or vacancy.

(a) In case of vacancy in the office of Attorney General, or of his absence or disability, the Deputy Attorney General shall, pursuant to 28 U.S.C. 508(a)

perform the functions and duties of and act as Attorney General. When by reason of absence, disability, or vacancy in office, neither the Attorney General nor the Deputy Attorney General is available to exercise the duties of the office of Attorney General, the Associate Attorney General shall, pursuant to 28 U.S.C. 508(b), perform the functions and duties of and act as Attorney General. In the event of vacancy, absence, or disability in each of these offices, the Solicitor General shall perform the functions and duties of and act as Attorney General.

(b) In the event of a vacancy in the office of Deputy Attorney General, an Associate Deputy Attorney General designated by the Attorney General shall perform the functions and duties of and act as Deputy Attorney General.

(c) In the event of a vacancy in the office of Associate Attorney General, a Deputy Associate Attorney General designated by the Attorney General shall perform the functions and duties of and act as Associate Attorney General.

(d) In the event of a vacancy in the office of head of any other organizational unit, the ranking deputy (or an equivalent official) in such unit who is available shall perform the functions and duties of and act as such head, unless the Attorney General shall direct otherwise. Except as otherwise provided by law, if there is no ranking deputy available, the Attorney General shall designate another official of the Department to perform the functions and duties of and act as such head.

(e) The head of each organizational unit of the Department is authorized, in case of absence from office or disability, to designate the ranking deputy, (or an equivalent official) in the unit who is available to act as head. If there is no deputy available to act, any other official in such unit may be so designated.

§ 0.133 [Revoked]

4. Section 0.133 of Subpart W is revoked.

Dated: November 7, 1977.

GRIFFIN B. BELL,
Attorney General.

[FR Doc. 77-33209 Filed 11-16-77; 8:45 am]

[7708-01]

Title 29—Labor

CHAPTER XXVI—PENSION BENEFIT GUARANTY CORP.

PART 2602—PAYMENT OF PREMIUMS

AGENCY: Pension Benefit Guaranty Corp.

ACTION: Final Rule.

SUMMARY: This rule imposes the premiums payable to the Pension Benefit Guaranty Corp. (the "PBGC") by plan administrators of pension plans covered by Title IV of the Employee Retirement Income Security Act of 1974 ("ERISA"). For plan years beginning on or after January 1, 1978, the premiums imposed by Title IV ERISA, as implemented by

this rule, will be due no later than seven months after the close of the prior plan year. At present, premiums are due 30 days after the beginning of a plan year.

EFFECTIVE DATE: November 17, 1977.

FOR FURTHER INFORMATION CONTACT:

William G. Beyer, Staff Attorney, Pension Benefit Guaranty Corp., 2020 K Street NW., Washington, D.C. 20006, 202-254-4889.

SUPPLEMENTARY INFORMATION: Section 4007(a) of ERISA, in imposing the premiums due for plan years in progress on September 2, 1974 (ERISA's date of enactment) and for the first full plan years beginning on or after September 2, 1974, required that such premiums be paid to the PBGC within 30 days after the beginning of such first full plan years, respectively. Inasmuch as the premiums for both of these periods (and continuing to date) were based on the number of participants in a plan, plan administrators had to determine before the end of the 30 day period the number of participants upon which to pay premiums. They experienced difficulty in doing so. Consequently, plan administrators were forced to estimate their participant counts, and subsequently to reconcile these estimates with actual figures. This has resulted in an administrative burden—in many cases, a costly one—both for plan administrators and for the PBGC.

By moving the premium due date from 30 days after the beginning of the plan year to seven months after the close of the prior plan year, the PBGC will eliminate the need for a separate, subsequent reconciliation of premium filings and, consequently, will substantially ease plan administrators' reporting burdens.

The computation of the premium and reconciliation due dates may be illustrated by the following representative filing due dates:

Representative filing due dates

Plan year commencement date	Premium payment due dates	Reconciliation due dates
Jan. 1, 1974.....	Oct. 2, 1974	Jan. 31, 1976
Apr. 1, 1974.....	do.....	May 1, 1976
July 1, 1974.....	do.....	July 31, 1976
Sept. 2, 1974.....	do.....	Oct. 2, 1976
Jan. 1, 1975.....	Jan. 31, 1975	Jan. 31, 1977
Apr. 1, 1975.....	May 1, 1975	May 1, 1977
July 1, 1975.....	July 31, 1975	July 31, 1977
Sept. 2, 1975.....	Oct. 2, 1975	Oct. 2, 1977
Jan. 1, 1976.....	Jan. 31, 1976	Jan. 31, 1978
Apr. 1, 1976.....	May 1, 1976	May 1, 1978
July 1, 1976.....	July 31, 1976	July 31, 1978
Sept. 2, 1976.....	Oct. 2, 1976	Oct. 1, 1977
Jan. 1, 1977.....	Jan. 31, 1977	July 31, 1978
Apr. 1, 1977.....	May 1, 1977	Oct. 31, 1978
July 1, 1977.....	July 31, 1977	Jan. 31, 1979
Jan. 1, 1978.....	July 31, 1978	(1)
May 15, 1978.....	Dec. 14, 1978	(1)
Sept. 30, 1978.....	Apr. 29, 1979	(1)
Feb. 15, 1980.....	Sept. 14, 1980	(1)

¹ No longer required.

Additionally, the special filing rule for plans newly covered by § 4021 of ERISA has been clarified to require filing by the later of seven months after the beginning of the plan year, 30 days after the date

of the plan's adoption, 30 days after the beginning of accrual of benefits for future service, or 30 days after the beginning of PBGC coverage.

Inasmuch as these revisions relieve a restriction presently imposed by this rule prior to this revision, and reflect a specific provision of the Act, opportunity for public participation in the rule making process and delay in effective date are not required.

In consideration of the foregoing, the PBGC hereby revises § 2602.3 of Part 2602, Chapter XXVI of Title 29, Code of Federal Regulations, to read as follows:

§ 2602.3 Filing requirement.

(a) The plan administrator of each covered plan shall file the form prescribed by this part and any premium payments due, in accordance with the premium declaration instructions accompanying the form, no later than the date specified in the applicable paragraph or subparagraph below:

(1) For any plan year beginning before and in progress on September 2, 1974: October 2, 1974;

(2) For any plan year beginning on or after September 2, 1974 and ending on or before December 30, 1978: 30 days after the beginning of the plan year;

(3) For any plan year beginning on or after January 1, 1978: 7 months after the close of the prior plan year;

(4) Notwithstanding the provisions of paragraphs (1), (2) and (3), for any plan newly covered by § 4021 of the Act, the later of:

(i) 7 months after the beginning of the plan year;

(ii) 30 days after the date of the plan's adoption;

(iii) 30 days after the date on which the plan became effective for benefit accruals for future service; or

(iv) 30 days after the date on which the plan became covered by § 4021 of the Act.

(b) The plan administrator of each covered plan shall file the form prescribed by this part, in accordance with the premium reconciliation instructions accompanying the form, no later than the date specified in the applicable paragraph below:

(1) For any plan year beginning before September 2, 1976 and ending on or before August 31, 1977: two years and 30 days after the beginning of the plan year;

(2) For any plan year beginning on or after September 2, 1976, and ending on or before December 30, 1977: one year and 30 days after the beginning of the plan year;

(3) For any plan year beginning on or after January 1, 1977 and ending on or before December 30, 1978: 7 months after the close of the plan year.

(c) Any form not filed in accordance with this part, not filed in accordance with the instructions contained in the form, not accompanied by the required premium payment, or otherwise incomplete, may, in the discretion of the PBGC, be returned in whole or in part to the plan administrator and treated as not having been filed.

Issued in Washington, D.C. this 10th day of November 1977.

RAY MARSHALL,
Chairman, Board of Directors,
Pension Benefit Guaranty Corp.

Issued on the date set forth above, pursuant to a resolution of the Board of Directors approving these regulations and authorizing its Chairman to issue same.

HENRY ROSE,
Secretary.

[FR Doc. 77-33063 Filed 11-16-77; 8:45 am]

[3410-11]

Title 36—Parks, Forests and Public Property

CHAPTER II—FOREST SERVICE, DEPARTMENT OF AGRICULTURE

PART 251—LAND USES

Rights-of-Way For Electric Power Transmission Lines

AGENCY: Forest Service, USDA.

ACTION: Final rulemaking.

SUMMARY: The Forest Service is changing its regulations relating to the issuance of rights-of-way for electric transmission lines crossing Forest Service lands. The stipulation that transmission capability, in excess of the needs of the grantee, be made available to a Department of the Interior power marketing agency for transmission of Federal power, is changed to apply only to powerlines rated 66 kV or more. Changing this requirement from powerlines rated 33 kV or more to powerlines rated 66 kV or more will expedite the processing of applications.

EFFECTIVE DATE: November 17, 1977.

ADDRESS: Chief, Forest Service, P.O. Box 2417, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT:

Harry Coorsh, 703-235-8084 or William Boring, 235-2160.

SUPPLEMENTARY INFORMATION: A similar amendment was made by the Department of the Interior in Title 43 for lands under its jurisdiction, and was published on page 44985 of the *FEDERAL REGISTER* of September 8, 1977.

The proposal to raise the minimum voltage for which the wheeling stipulation is required from 33 kV to 66 kV was published on page 21818 of the *FEDERAL REGISTER* of April 29, 1977. Comments were invited from the public to be received on or before May 31, 1977. Six comments were received. One comment did not mention the wheeling stipulation, but offered other suggestions to expedite the processing of applications for rights-of-way. Another expressed concern about the time allowed for public hearings and public comment on proposed rights-of-way.

The remaining four comments favored the proposal, but recommended that the level be increased above 66 kV or waived entirely. It has been determined that this

is not necessary, since the Secretary of the Department of the Interior may waive the wheeling stipulation requirement if appropriate.

§ 251.52 [Amended]

Accordingly, 36 CFR Part 251, is amended by deleting the number "33" and inserting in its place the number "66" in paragraph (b) (d) of § 251.52.

BOB BERGLAND,
Secretary.

NOVEMBER 11, 1977.

[FR Doc. 77-33275 Filed 11-16-77; 8:45 am]

[7035-01]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected Service Order No. 1249, Amdt. No. 3]

PART 1033—CAR SERVICE

Octoraro Railway, Inc., Authorized To Operate Over Portion of USRA Line No. 142, Former Octoraro Branch of Penn Central Transportation Co.

AGENCY: Interstate Commerce Commission.

ACTION: Emergency order (Amendment No. 3 to Service Order No. 1249).

SUMMARY: This amendment extends for six months authority given the Octoraro Railway, Inc., to operate approximately 36.2 miles of railroad extending southwest from Wawa, Pennsylvania, to the Maryland-Pennsylvania state line in the vicinity of Sylmar. Service on this line was discontinued April 1, 1976, under authority of the Regional Railroad Reorganization Act of 1973 and the Railroad Revitalization and Railroad Reform Act of 1976. The line has since been purchased by an agency of the Commonwealth of Pennsylvania. The Commonwealth has designated the Octoraro Railway, Inc., as its agent for the operation of this line. An application for permanent authority for the Octoraro Railway to operate this line has now been filed. Service Order No. 1249 enables the Octoraro Railway to provide rail service to shippers located adjacent to this line pending disposition by the Commission of its application for permanent authority.

DATES: Effective 11:59 p.m., November 15, 1977. Expires 11:59 p.m., June 15, 1978.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202-275-7840, Telex 89-2740.

SUPPLEMENTARY INFORMATION: The order is printed in full below.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 11th day of November, 1977.

Upon further consideration of Corrected Service Order No. 1249 (41 F.R. 34607, 50448 and 42 F.R. 25325), and good cause appearing therefor:

It is ordered, That § 1033.1249 corrected Service Order No. 1249 (Octoraro Railway, Inc., authorized to operate over portion of USRA Line No. 142, former Octoraro Branch of Penn Central Transportation Company) is amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 15, 1978, unless otherwise modified, changed or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., November 15, 1977.

(49 U.S.C. 1 (12), (15), (16), and 17(2).)

It is further ordered, That copies of this order 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 shall 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, members Joel E. Burns, Robert S. Turkington and John R. Michael. Member John R. Michael not participating.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-33279 Filed 11-16-77; 8:45 am]

[7035-01]

[Revised Service Order 1280]

PART 1033—CAR SERVICE

Substitution of Hopper Cars or Boxcars

AGENCY: Interstate Commerce Commission.

ACTION: Emergency Order (Revised Service Order No. 1280).

SUMMARY: There is a shortage of covered hopper cars and plain boxcars for shipments of grain, grain products, soybeans and sunflower seed. Supplies of open hopper cars can be made available to shippers willing to substitute those cars for covered hoppers or boxcars. There are also some "MWB" cars available which can be used in this service. However, in some instances, the rates are applicable only to shipments loaded into covered hopper cars or boxcars. Revised Service Order No. 1280 authorizes railroads, subject to the consent of the shipper, to substitute open hopper cars or MWB cars for covered hopper cars or boxcars ordered for shipments of these commodities.

DATES: Effective 12:01 a.m., November 16, 1977. Expires 11:59 p.m., May 31, 1978.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202-275-7840, telex 89-2742.

SUPPLEMENTARY INFORMATION:
The order is printed in full below:

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 14th day of November, 1977.

There is an acute shortage of covered hopper cars and boxcars for transporting shipments of grain, grain products, grain screenings, soybeans, or sunflower seed in certain sections of the country. Some carriers have adequate supplies of open hopper cars. Use of these cars for transporting grain, grain products, grain screenings, soybeans or sunflower seed is precluded by certain tariff provisions requiring the use of covered hopper cars or boxcars, thus curtailing shipments of grain, grain products, grain screenings, soybeans, or sunflower seed and creating great economic loss. In the opinion of the Commission, present regulations and practices with respect to the use, supply, control, movement, and distribution of covered hopper cars and boxcars are ineffective, and 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.

§ 1033.1280 Revoked Service Order No. 1280.

It is ordered, That: (a) Substitution of hopper cars for covered hopper cars or boxcars. 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) *Substitution of Cars.* Subject to the concurrence of the shipper, the carrier may substitute open hopper cars for shipments of grain, grain products, grain screenings, soybeans, or sunflower seed, whether from the point of origin or from an intermediate in-transit point, regardless of tariff provisions requiring the use of covered hoppers or boxcars.

(2) *Minimum Weights.* The minimum weights per shipment of grain, grain products, grain screenings, soybeans, or sunflower seed transported in open hopper cars substituted for covered hopper cars or boxcars shall be the minimum weights specified in the tariffs for shipments made in covered hopper cars or boxcars regardless of the number of open hopper cars required to be used to secure the minimum weight.

(3) In shipping grain, grain products, grain screenings, soybeans, or sunflower

seed in open hopper cars in lieu of covered hopper cars or boxcars as provided herein, the shipper shall be deemed to have acknowledged the terms and conditions of the contract of carriage embodied in the bill of lading that the carrier shall not be liable for injury, loss, or damage to the lading resulting from a defect or vice in such property.

(4) Bills of lading covering movements authorized by this order shall contain a notation that shipment is moving under authority of Revised Service Order No. 1280.

(5) The term "open hopper cars" means all cars listed in the Official Railway Equipment Register, I.C.C.-R.E.R. No. 405, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "HFA", "HK", "HM", "HMA", "HT", "HTA", or "MWB".

(6) The term "covered hopper cars" means all cars listed in the Official Railway Equipment Register, I.C.C. No. 405, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "LO".

(7) The term "boxcars" means all cars listed in the Official Railway Equipment Register, I.C.C. No. 405, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "XM", or "XMI".

(b) *Rules and regulations suspended.* The operation of tariffs or other rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

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

(d) *Effective date.* This order shall become effective at 12:01 a.m., November 16, 1977.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., May 31, 1978, unless otherwise modified, changed, or suspended by order of this Commission.

(49 U.S.C. 1(12), (15), (16) 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 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, members Joel E. Burns, Robert S. Turkington and John R. Michael. Member Joel E. Burns not participating.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-33278 Filed 11-16-77; 8:45 am]

[4310-55]

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Opening of Seville National Wildlife Refuge to Hunting of Migratory Game Birds; Correction

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Correction of special regulation.

SUMMARY: This document corrects the opening and closing dates in the Supplementary Information in the migratory game bird hunting regulations for geese on the Seville National Wildlife Refuge, San Acacia, N. Mex., published by the Service on October 14, 1977.

EFFECTIVE DATES: October 22, 1977 through January 22, 1978.

FOR FURTHER INFORMATION CONTACT:

Richard W. Rigby, Refuge Manager, Bosque del Apache National Wildlife Refuge, P.O. Box 1246, Socorro, N. Mex. 87801, telephone 505-835-1828.

SUPPLEMENTARY INFORMATION: The amendment in this document corrects the opening and closing dates of specific information in the U.S. Fish and Wildlife Service's regulations as published in the FEDERAL REGISTER on October 14, 1977 (FR Doc. 77-20010). This document was authorized by W. O. Nelson, Jr., Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, N. Mex. 87103.

50 CFR Part 32, § 320.12, is amended by correcting dates as follows:

In the first paragraph, the portion pertaining to hunting of geese that reads:

* * * geese of the dark species (Canadas and white-fronts), from November 1, 1977 through January 22, 1978; * * *

50 CFR Part 32, § 32.12, is amended is corrected to read:

* * * geese of the dark species (Canadas and white-fronts), from December 17, 1977 through January 1, 1978; * * *

NOTE.—The Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

JERRY L. STEGMAN,
Acting Regional Director,
Albuquerque, N. Mex.

NOVEMBER 11, 1977.

[FR Doc. 77-33231 Filed 11-16-77; 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 rule making prior to the adoption of the final rules.

NOTE.—This document originally appeared in the FEDERAL REGISTER for Tuesday, Nov. 15, 1977. It is reprinted in this issue to meet assigned day-of-the-week requirements.

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 21, 36, and 91]

[Docket No. 15376; Reference Notice
No. 77-23]

PROPOSED NOISE AND SONIC BOOM REQUIREMENTS FOR CIVIL SUPER- SONIC AIRPLANES

Public Hearing

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of public hearing.

SUMMARY: This notice announces a public hearing to be conducted on December 15, 1977, in Washington, D.C., to receive the views and comments of interested persons regarding the proposed amendments contained in Notice No. 77-23, regarding noise and sonic boom requirements for civil supersonic airplanes, and their relationship to the amendments recommended by the U.S. Environmental Protection Agency contained in Notice Nos. 75-15 and 76-1. Notice No. 77-23 was published October 13, 1977, in the FEDERAL REGISTER (42 FR 55176). The comment periods for Notices 75-15 and 76-1 have been reopened to coincide with the comment period for Notice 77-23.

DATES: Public hearing: December 15, 1977, at 9:00 a.m. Comments concerning Notices 75-15, 76-1, and 77-23 must be received on or before: December 31, 1977.

ADDRESSES: Hearing location: Auditorium, Third Floor, FAA Headquarters Building, 800 Independence Avenue SW., Washington, D.C.

Make requests to be heard at the hearing to: Public Hearing on Notice No. 77-23, Office of Environmental Quality (AEQ-200), Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591, Attention: Marian Faulk; telephone: 202-755-9468.

Send comments on the proposals in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-24), Docket No. 15376, 800 Independence Avenue SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Tedrick, Program Management Branch (AEQ-220), Environmental Technical and Regulatory Di-

vision, Office of Environmental Quality, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Telephone: 202-755-9027.

SUPPLEMENTARY INFORMATION:

THE PUBLIC HEARING

On December 15, 1977, the Federal Aviation Administration (FAA) will hold a public hearing in Washington, D.C., at the location stated above, regarding proposed amendments to the Federal Aviation Regulations (14 CFR Chapter I). This hearing will afford interested persons the opportunity to present views, data, and arguments regarding the substance and issues raised in the proposals contained in Notice No. 77-23, entitled "Proposed Noise and Sonic Boom Requirements for Civil Supersonic Airplanes," which was published in the FEDERAL REGISTER on October 13, 1977 (42 FR 55176). In addition, presentations and comments are specifically invited on the relationship of those proposals to the amendments recommended by the U.S. Environmental Protection Agency (EPA) contained in Notice Nos. 75-15 (40 FR 14093; March 28, 1975) and 76-1 (41 FR 6270; February 12, 1976), which are currently being considered by the FAA under § 611(c) of the Federal Aviation Act of 1958, as amended. Presentations and comments are also invited on the draft environmental impact statement prepared in conjunction with the notice.

The hearing will be convened at 9:00 a.m. If response to this notice exceeds the time allotted for the hearing, it will be continued to 9:00 a.m., December 16, 1977, at the same location. Additional hearings, if any, would be predicated upon the showing of substantial interest by civic parties in one or more of the other eleven cities identified in the Supplemental Draft Environmental Impact Statement issued October 11, 1977. Requests should be submitted to the FAA's Office of Environmental Quality on or before December 31, 1977.

HEARING PROCEDURE

The hearing will be informal in nature and will be conducted by a designated representative of the Administrator under 14 CFR 11.33. At the hearing, FAA spokesmen will make a brief opening statement regarding the proposals contained in the notice. Since the hearing will not be evidentiary or judicial in nature, there will be no cross-examination or other adjudicatory procedure applied to the presentations. However, interested persons wishing to make rebuttal statements will be given an opportunity to do so at the conclusion of the presentations

in the same order in which initial statements are made.

Interested persons are invited to attend the hearing and to participate by making oral or written statements concerning the respective proposals. Written statements should be submitted in duplicate and will be made a part of the regulatory docket. Persons wishing to make oral statements at the hearing must notify the FAA that they desire to be heard, and indicate the amount of time requested for their initial statements. Presentations will be scheduled on a first-come-first-served basis, as time may permit. Requests to be heard at the hearing may be made by contacting the person identified above for that purpose.

WRITTEN COMMENTS TO THE RULES DOCKET INVITED

In addition to material presented for the purposes of the hearing, persons not participating in the hearing are invited to submit written comments to the regulatory docket established for the supplemental notice of proposed rule making. As stated in the notice, such written comments should identify the notice or docket number and be submitted in duplicate to the FAA Rules Docket.

SCOPE OF INQUIRY

Notice No. 77-23 was issued by the FAA under section 611 of the Federal Aviation Act of 1958, as amended. The notice supplements FAA's review of several options for regulating the noise of civil supersonic airplanes proposed to the FAA by the U.S. Environmental Protection Agency (EPA) and previously published by the FAA pursuant to the Noise Control Act of 1972. These additional proposals would: (1) require all SSTs except Concordes with flight time before January 1, 1980, to comply with the Stage 2 noise limits of Part 36 in order to operate in the United States; (2) prohibit modifications of current SST types that increase their noise; (3) place operational restrictions on SSTs that do not comply with the Stage 2 noise limits of Part 36; and (4) add procedures adapting the flight test conditions of Part 36 to supersonic airplanes. A proposal to protect United States coastal areas from sonic boom is also included. Those proposals respond to the public need for the control of sonic boom and of the noise of SSTs.

The notice presents the FAA's analysis of the background of the respective proposals and contains the material that is the subject of the public hearing. While all relevant comments are of interest, the FAA specifically invites statements or comments concerning the following:

(a) Available data relating to aircraft noise, including the results of research,

development, testing, and related evaluation activities.

(b) The views and positions of other Federal, State, and interstate agencies.

(c) Whether the proposed regulations would be consistent with the highest degree of safety in air commerce and air transportation in the public interest.

(d) Whether the proposed regulations would be: (1) Economically reasonable; (2) Technologically practicable; and (3) Appropriate for the particular types of aircraft, aircraft engines, appliances, or certificates to which they would apply.

(e) The extent to which the proposed regulations would contribute to providing protection to the public health and welfare by carrying out the purposes of § 611 of the Federal Aviation Act of 1958, as amended.

(f) The overall environmental impacts of the proposed regulations (including environmental factors other than noise).

(g) The economic impact that might result because of adoption of the proposed rules.

Before taking further action under § 611 of the Federal Aviation Act of 1958, the FAA will consider all statements presented at the hearing and all written statements and comments submitted to the regulatory docket. The specific terms and substance of proposals contained in the notice may be changed in the light of those statements and comments presented.

Transcripts of the hearing will be made and anyone may purchase copies from the reporter. A transcript of the hearing will be available for examination in the Rules Docket.

DRAFTING INFORMATION

The principal authors of this document are Richard N. Tedrick, Office of Environmental Quality Branch, and Ronn E. Harding, Office of the Chief Counsel.

(Secs. 307, 313(a), 601(a), 603, and 611, Federal Aviation Act of 1958, as amended (49 U.S.C. §§ 1348, 1354(a), 1421(a), 1423, and 1431); Sec. 6(c), Department of Transportation Act (49 U.S.C. § 1655(c)); Title I, National Environmental Policy Act of 1969 (42 U.S.C. § 1421 et seq.); Executive Order 11514; March 5, 1970; 14 CFR 11.45; and 44 U.S.C. § 1508.)

Issued in Washington, D.C., on November 10, 1977.

J. E. DENSMORE,
Acting Director, Office
of Environmental Quality.

[FR Doc.77-33094 Filed 11-11-77; 2:19 pm]

[4910-13]

[14 CFR Part 71]

[Airspace Docket No. 77-CE-17]

TRANSITION AREA, GRANDVIEW, MO.

Proposed Alteration

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to alter the 700-foot transition area at Grandview, Mo., to provide additional

controlled airspace for aircraft executing a new instrument approach procedure to the Johnson County, Kans. Industrial Airport which is based on a terminal VHF Omni Range (TVORW) navigational aid installed on the airport.

DATES: Comments must be received on or before December 15, 1977.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Mo. 64106, telephone: 816-374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, room 1558, 601 East 12th Street, Kansas City, Mo.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Gary W. Tucker, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-537, FAA, Central Region, 601 East 12th Street, Kansas, Mo. 64106, telephone: 816-374-3408.

SUPPLEMENTARY INFORMATION:

COMMENTS INVITED

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before December 15, 1977, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Mo. 64106 or by calling 816-374-3408. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

THE PROPOSAL

The FAA is considering an amendment to Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) by altering the 700-foot transition area at Grandview, Mo. To enhance

airport usage by providing additional instrument approach capability to the Johnson County, Kansas Industrial Airport, a TVORW has been installed on the airport. This radio facility provides new navigational guidance for aircraft utilizing the airport. The establishment of an instrument approach procedure based on this navigational aid entails alteration of the transition area at and above 700-feet Above Ground Level (AGL) within which aircraft will be provided additional controlled airspace protection. Section 71.181, pertaining to transition areas was republished in the FEDERAL REGISTER on January 3, 1977 (42 FR 440).

Accordingly, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR 71.181), by altering the following transition area:

GRANDVIEW, MO.

That airspace extending upward from 700' above the surface within an 8 mile radius of Richards-Gebaur AFB (latitude 38°50'50" N., longitude 94°33'20" W.); within a 6 mile radius of Johnson County Executive Airport (latitude 38°51'00" N., longitude 94°44'15" W.), excluding that portion which coincides with Richards-Gebaur AFB's 700' transition area; within 3 miles each side of the 182° bearing from Johnson County Executive Airport, extending from the 6-mile radius area to 8 miles south of the airport; and within an 8.5 mile radius of the Johnson County Industrial Airport (latitude 38°49'47" N., longitude 94°53'29" W.), excluding that portion which coincides with the Johnson County Executive Airport's 700' transition area.

(Section 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Kansas City, Mo., on November 4, 1977.

C. R. MELUGIN, Jr.,
Director, Central Region.

[FR Doc.77-33050 Filed 11-16-77; 8:45 am]

[4910-13]

[14 CFR Part 71]

[Airspace Docket No. 77-CE-22]

TRANSITION AREA, SIOUX CENTER, IOWA

Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making (NPRM).

SUMMARY: This Notice proposes to designate a 700-foot transition area at Sioux Center, Iowa, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Sioux Center Municipal Airport which is based on a non-directional radio beacon

(NDB) navigational aid being installed on the airport.

DATES: Comments must be received on or before December 15, 1977.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Mo. 64106, telephone: 816-374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, room 1558, 601 East 12th Street, Kansas City, Mo.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Dwaine E. Hiland, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-537, FAA, Central Region, 601 East 12th Street, Kansas City, Mo. 64106, telephone: 816-374-3408.

SUPPLEMENTARY INFORMATION:

COMMENTS INVITED

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received on or before December 15, 1977 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Mo. 64106 or by calling 816-374-3408. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

THE PROPOSAL

The FAA is considering an amendment to Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) by designating a 700-foot transition area at Sioux Center, Iowa. To enhance airport usage by providing instrument approach capability to the Sioux Center Municipal Airport, the City of Sioux Cen-

ter, Iowa is installing an NDB on the airport. This radio facility provides new navigational guidance for aircraft utilizing the airport. The establishment of an instrument approach procedure based on this navigational aid entails designation of a transition area at and above 700-feet Above Ground Level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR). Section 71.181, pertaining to transition areas was republished in the FEDERAL REGISTER on January 3, 1977 (42 FR 440).

Accordingly, the Federal Aviation Administration proposes to amend Subpart G, Section 71.181, of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 3, 1977 (42 FR 440), by adding the following new transition area:

SIoux CENTER, IOWA

That airspace extending upward from 700 feet above the surface within a 5 mile radius of the Sioux Center Municipal Airport (latitude 43°08'05" N., Longitude 96°11'15" W.) and within 3 miles each side of the 006° (true) bearing from the Sioux Center Municipal Airport extending from the 5 mile radius to 8.5 miles north of the airport.

(Sec. 307(a), Federal Aviation Act of 1958 as amended 49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of the Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Kansas City, Missouri, on November 4, 1977.

C. R. MELUGIN, Jr.,
Director, Central Region.

[FR Doc. 77-33051 Filed 11-16-77; 8:45 am]

[1505-01]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Community Planning and Development,
Department of Housing and Urban Development

[24 CFR Part 570]

[Docket No. R-77-471]

COMMUNITY DEVELOPMENT BLOCK GRANTS

Eligible Activities, Applications for Entitlement Grants, Urban Development Action Grants; Extension of Time

Correction

In FR Doc. 77-32871 appearing in the middle column on page 58960, in the issue for Monday, November 14, 1977, the comment closing date now reading "November 15, 1977," should read "November 25, 1977".

[8320-01]

VETERANS ADMINISTRATION

[38 CFR Part 3]

VETERANS BENEFITS

Payment of Automobile Allowance

AGENCY: Veterans Administration.

ACTION: Proposed rulemaking.

SUMMARY: The Veterans Administration is amending its regulation governing payment of the automobile allowance. The need for this amendment results from enactment of a new law. Prior to enactment of this law the automobile allowance was not payable based on disability incurred in or aggravated during service prior to September 16, 1940. Now the automobile allowance is payable to any veteran who incurred the requisite degree of disablement during any period of service. The effect of this change is to implement the new law.

DATES: Comments must be received on or before December 19, 1977. It is proposed to make this change effective October 1, 1977, the effective date set forth in the law (Pub. L. 95-116).

ADDRESSES: Send written comments to: Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Ave. NW., Washington, D.C. 20420.

Comments will be available for inspection at the address shown above during normal business hours until December 29, 1977.

FOR FURTHER INFORMATION CONTACT:

T. H. Spindle (211B), 202-389-3005.

ADDITIONAL COMMENT INFORMATION

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), until December 29, 1977. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

NOTE.—The Veterans Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949 and OMB Circular A-107.

Approved: November 10, 1977.

By direction of the Administrator.

RUFUS H. WILSON,
Deputy Administrator.

In § 3.808, paragraphs (a) and (b) (1) (introductory portion preceding subdivision (1)) are revised to read as follows:

§ 3.808 Automobiles or other conveyances; certification.

A certification of eligibility for financial assistance in the purchase of one automobile or other conveyance in an amount not exceeding \$3,300 (including all State, local, and other taxes where such are applicable and included in the purchase price) and of basic entitlement to necessary adaptive equipment will be made where the claimant meets the requirements of paragraphs (a), (b) and (c) of this section.

(a) *Service.* The claimant must have had active military, naval or air service.

(b) *Disability.* (1) One of the following must exist and be the result of injury or disease incurred or aggravated during active military, naval or air service;

[FR Doc.77-33218 Filed 11-16-77;8:45 am]

#

the Holiday Inn, 175 Piedmont Avenue, Atlanta, Ga.

The purpose of this meeting will be to review and work on proposed regulations for the Land Management Planning Process and to discuss how National Forest System management can be coordinated with wilderness with respect to the protection of other values.

The meeting will be open to the public. Persons who wish to attend should notify Charles R. Hartgraves, Forest Service area code 202-447-5933. Written statements may be filed with the Committee before or after the meeting. Please send written statements to Charles R. Hartgraves, Forest Service, Land Management Planning, P.O. Box 2417, Washington, D.C. 20013.

Dated: November 7, 1977.

J. W. DEINEMA,
Deputy Chief.

[FR Doc.77-33204 Filed 11-16-77;8:45 am]

[3410-11]

ROCKY MOUNTAIN FRONT PLANNING UNIT LAND MANAGEMENT PLAN

Notice of 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 Rocky Mountain Front Planning Unit Land Management Plan, Forest Service Report Number USDA-FS-R1(15)-DES-Adm-78-1.

The environmental statement concerns a proposed land management plan for the 451,755-acre Rocky Mountain Front Planning Unit.

This draft environmental statement was transmitted to CEQ on November 8, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA Forest Service, South Agriculture Bldg., room 3230, 12th St. & Independence Ave., SW., Washington, D.C. 20250.

USDA Forest Service, Federal Building, P.O. Box 7669, Missoula, Mont. 59807.

USDA Forest Service, Lewis & Clark National Forest, Box 871, Great Falls, Mont. 59403.

USDA Forest Service, Teton Ranger District, Box 340, Choteau, Mont. 59422.

USDA Forest Service, Sun River Ranger District, Box 365, Augusta, Mont. 59410.

A limited number of single copies are available upon request to Forest Supervisor Kenneth D. Weyers, Lewis & Clark National Forest, Box 871, Great Falls, Mont. 59403.

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 Forest Supervisor Kenneth D. Weyers, Lewis & Clark National Forest, Box 871, Great Falls, Mont. 59403. Comments must be received by March 10, 1978, in order to be considered in the preparation of the final environmental statement.

TOM COSTON,
Acting Regional Forester,
Northern Region, Forest Service.

NOVEMBER 8, 1977.

[FR Doc.77-33223 Filed 11-16-77;8:45 am]

[6320-01]

CIVIL AERONAUTICS BOARD

[Dockets No. 31562, 31572; Order 77-11-58]

EL AL ISRAEL AIRLINES LTD. AND POLSKIE LINIE LOTNICZE

Order of Suspension and Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 4th day of November 1977.

In the matter of U.S.-Israel Holiday Fares proposed by El Al Israel Airlines Ltd., Docket 31562; and GIT and Special-APEX fares proposed by Polskie Linie Lotnicze, Docket 31572.

On October 19, 1977, El Al Israel Airlines Ltd. (El Al) filed tariffs, for effect November 18, 1977, proposing new Holiday-class economy fares, available through March 14, 1978, for group and individual roundtrip travel between New York and Tel Aviv. The \$499 group fare is a 58.2 percent discount from the applicable roundtrip normal economy fare and the \$550 individual fare is a 53.9 percent discount.¹ El Al contends that the need for these fares became apparent after its analysis of the prospective travel markets in the U.S. and Israel, and that the fares are economically sound and produce a yield considerably in excess of recently approved fares between New York and London.

On October 21, 1977, Polskie Linie Lotnicze (LOT) filed tariffs proposing new roundtrip 7/21-day group inclusive-tour (GIT) and "Special" advance purchase excursion (APEX) fares between New York and Warsaw.² The fares are available all year, and offer discounts from the applicable roundtrip normal economy fares ranging from 44.3 percent to 53.4 percent. LOT contends that these fares

result from bilateral discussions held in Washington in September 1977, and were filed pursuant to a directive from its Government.

Full details on the level and conditions of each new fare proposal are set forth in Appendix B.

TWA has filed a complaint against El Al's Holiday fares. The National Air Carrier Association (NACA) has filed an untimely complaint, along with a motion to file late, which will be accepted, against LOT's fares. Both complainants request suspension and investigation of the fares complained against. El Al has filed a reply.

In its complaint against El Al's Holiday fares, TWA argues its opposition to the non-affinity group fare concept; that the \$51 differential between the group and individual fares ensures that the group fare will carry most of the passengers; and that if the group fare becomes effective, TWA must file a competitive fare which will increase its administrative and commissions costs which, in turn, will result in higher fares for other passengers and will preclude TWA from increasing its participation in the U.S.-Israel market. In its answer, El Al contends that TWA's complaint is legally deficient, is replete with vague and unsupported statements, does not sufficiently address the economics of the proposed fares, and therefore, should be dismissed.

NACA maintains that LOT's GIT and Special-APEX fares should be investigated and suspended, pending that investigation or at least until such time as Poland accepts U.S.-origin charter flights, based upon country-of-origin rules, and permits usage of the Warsaw airport without discrimination as to type of aircraft or carrier. NACA contends that contrary to an agreement reached at bilateral talks held in 1976, Polish authorities have engaged in harassing and delaying tactics relating to airport operations and airport limitations, and in discriminatory treatment of U.S. supplemental carriers; and that this treatment has resulted in the cancellation of charter programs with U.S. supplemental carriers and the subsequent performance of the canceled programs by LOT and Pan American. NACA states that at bilateral discussions held in September 1977, the Polish negotiators suggested that low-fare passengers should be carried on scheduled services and that LOT would file such fares soon. NACA argues that the uneconomic levels and conditions of LOT's proposed fares clearly demonstrate that they are intended to bar U.S. supplemental carriers from participation in the U.S.-Poland charter market. Finally, NACA points out that suspension of the GIT and Special-APEX fares will not deprive the public of low-cost transportation since that market will still have a super-APEX fare, provided the Polish Government agrees to an ad hoc arrangement with the United States per-

¹ Air Tariffs Corp., Agent, C.A.B. No. 44, 18th Revised Page 273 and Rule No. 255. Trans World Airlines, Inc. (TWA), filed on Oct. 25, 1977, to match El Al's fares effective Nov. 24, 1977. See Trans World Airlines, Inc., C.A.B. No. 37, 2d Revised Page 174-A and Rule No. 52.

² Air Tariffs Corp., Agent, C.A.B. No. 44, 5th Revised Pages 274-I and 274-J and Rules No. 167 and 171. LOT has since postponed the effectiveness of its tariffs to Nov. 28, 1977.

mitting suspension of the fare after it enters into effect.²

The Board has decided to suspend the proposed fares subject to negotiation of ad hoc agreements, which would permit us to suspend these fares after they become effective, as has been done in the case of other low fare filings. We are convinced that the fullest development of a range of price options in international travel markets is best assured if all authorized carriers, scheduled and supplemental, are free to provide their services without artificial governmental constraints. It is our firm policy to take such steps as we can to achieve that kind of market freedom. On the other hand, our aim is the provision of low-priced air service and we are not persuaded by the complainants here that we should interfere, at this time, with the availability to the traveling public of these proposed low-fare services.

There are aspects of the proposed fares which we might suggest be revised—for example, we have previously expressed our preference for individual rather than group fares so that capacity can be fully utilized without adversely affecting the availability of seats for higher-rated passengers. However, there are no contentions that this is a major issue here. Also, the parties have not delved very deeply into the reasonableness of the level of the fares. While TWA has complained against El Al's Holiday fares, these are proposed only during the winter off-peak period. Pan American has not complained against LOT's GIT and Special-APEX, which are proposed through the peak summer season. An ad hoc arrangement would permit us to take action should we later determine that the offering of such low fares is detrimental to the long-run development of free competitive market forces.

² In its answer in support of TWA's complaint against El Al's Holiday-class fares, NACA makes the same request and raises the same substantial issues relating to government harassment and restrictive charter policies that it does in its complaint against LOT's GIT and Special-APEX fares.

Therefore the Board has concluded that ad hoc agreements, contemplated to preserve our ability to suspend effective transatlantic super-APEX fares should they prove detrimental to charter interests, would be appropriate here as a means of reviewing our decision to permit the traveling public the benefit of these fares, after a period of experience. If the fares are shown to have interfered with our efforts to achieve broadened charter opportunities or if they prove otherwise objectionable, we will have a chance to review the matter again. Therefore, the Board finds that El Al's proposed Holiday-class and LOT's proposed GIT and Special-APEX fares may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and should be investigated and pending investigation should be suspended.⁴ Upon conclusion of suitable agreements with the Governments of Israel and Poland, we would vacate our suspensions, thereby permitting El Al to offer its Holiday-class fares and LOT to offer its GIT and Special-APEX fares.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 102, 204(a), 403, 801, and 1002 (j) thereof.

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions set forth in Appendix A hereof, and rules, regulations, or practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to take appropriate action to prevent the use of such provisions or rules, regulations, or practices;

2. Pending hearing and decision by the Board, the tariff provisions specified in Appendix A hereof be suspended and their use deferred from November 18, 1977, to and including November 17, 1978, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except

⁴ We are also suspending tariffs matching El Al's Holiday-fares filed by TWA.

APPENDIX B

U.S.-Israel holiday fares			U.S.-Poland fares	
Group fare	Individual fare		Group fare	"Special" APEX fare
Proposed level.....	\$499	\$550	BS \$360; SH \$430; PK \$460	BS \$399; PK \$499.
Conditions:				
Valid.....	Nov. 18, 1977-Mar. 14, 1978. E.B. for Tuesday, Wednesday, Saturday departures; W.B. for Tuesday and Wednesday departures.	Same as for group fare.	All Year ²	All year. ⁴
Minimum group size.....	30 persons	Not available	40 persons in the peak and shoulder seasons; 15 persons in basic season.	Not available.
Minimum/maximum stay.....	7-day minimum stay	Same as for group fare	7/21 days	14/90 days.
Stopovers.....	Not permitted	Not permitted	Not permitted	Not permitted.
Ticketing.....	Application NLT 10 days before departure.	Reservations not confirmed earlier than 7 days before departure.	Application NLT 15 days before departure; ticket issued and payment NLT 5 days before departure.	Reservations and payment NLT 30 days before departure.
Minimum tour price.....	Not required ¹	Not required ¹	BS: \$90; SH \$130; PK \$140 for minimum stay, plus \$10 for each additional day.	Not required. If sold, subject to \$120 minimum.
Cancellation penalty.....	25 pct	None	25 pct ²	\$50.
Capacity Control.....	No more than 90 seats per flight may be sold of which not more than 60 seats will be sold to group passengers.	Same as for group fare	None	No more than 30 pct of total weekly capacity may be sold.
Other.....	Inflight amenities restricted to non-alcoholic beverages.	do		

¹ Tariff prohibits payment of additional commission for inclusive tours sold in connection with these fares.

² BS=EB: Oct. 24, to Mar. 31; WB: Nov. 1 to Mar. 31. SH=EB: Dec 12 to June 14, Aug. 15 to Oct. 23; WB: Jan. 1 to May 31, Oct. 1 to Oct. 31. PK=EB: June 15 to Aug. 14

WB: June 1 to Sept. 30.

³ If substitute can be found for cancelling passenger, then full refund will be made.

⁴ BS=EB: Apr. 1 to May 14, Sept. 15 to Apr. 31; WB: Apr. 1 to June 14, Oct. 15 to Apr. 31. PK=EB: May 15 to Sept. 14; WB: June 15 to Oct. 14.

[FR Doc.77-33270 Filed 11-16-77; 8:45 am]

by order or special permission of the Board:

3. This order shall be submitted to the President³ and shall become effective on November 14, 1977;

4. The investigation ordered here shall be assigned for hearing before an administrative law judge of the Board at a time and place hereafter to be designated;

5. Copies of this order shall be filed in the aforesaid tariffs and be served upon El Al Israel Airlines Ltd., Polska Linie Lotnicza, Trans World Airlines, Inc., and the National Air Carrier Association;

6. The motion by the National Air Carrier Association in Docket 31572 to file an untimely document be granted; and

7. Except to the extent granted in this order, the complaints of Trans World Airlines, Inc., and the National Air Carrier Association in Dockets 31562 and 31572 be dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.⁴

PHYLLIS T. KAYLOR,
Secretary.

PASSENGER FARES TARIFF No. PF-4, C.A.B. No. 44 ISSUED BY AIR TARIFFS CORPORATION, AGENT

On 1st Revised Pages 52-C and 52-D all provisions in Rule 167;

On 11th Revised Pages 53 and 54 all provisions on Rule 171;

On 5th Revised Page 274-I, all fares and provisions in Table 385;

On 5th Revised Page 274-J all fares and provisions in Table 386;

On 21st Revised Pages 77 and 78 all provisions in Rule No. 255;

On 18th Revised Page 273 all fares and provisions in Table 336.

INTERNATIONAL LOCAL AND JOINT PASSENGER FARES TARIFF No. F-9, C.A.B. No. 37, ISSUED BY TRANS WORLD AIRLINES, INC.

On 20th Revised Page 47 and 21st Revised Page 48 all provisions in Rule No. 52;

On 2d Revised Page 174-A all new Transatlantic Holiday-Class Fares.

⁵ This order was submitted to the President on November 4, 1977.

⁶ All Members concurred.

[6320-01]

[Dockets 31526, 31564; Order 77-11-59]

PAN AMERICAN WORLD AIRWAYS INC.
ET AL.

Order Vacating Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of November 1977.

In the matter of transatlantic super-APEX fares proposed by: Pan American World Airways, Inc., Trans World Airlines, Inc., KLM-Royal Dutch Airlines, Royal Air Maroc, and British Airways; Dockets 31526, 31564.

By Order 77-10-124, October 14, 1977, and Order 77-10-139, October 25, 1977, the Board suspended, pending investigation, super-APEX (advance-purchase excursion) fares proposed by various carriers for use between the United States, on the one hand, and Morocco and the Netherlands, on the other. The Board stated that it was suspending the fares because the United States had been unable to secure an ad hoc agreement with those countries which would permit us to suspend the fares after they became effective, and in those circumstances, failure to suspend the fares before they became effective might foreclose any future action by this Government with regard to such fares between the United States, and Morocco and the Netherlands.

On October 31, 1977, the Governments of Morocco and the Netherlands signed ad hoc agreements confirming the right of the United States to take action against the super-APEX fares after they became effective. Thus there is no reason for the fares to Morocco and the Netherlands to remain under suspension, and this order will vacate our previous action in that respect.

Accordingly, pursuant to sections 102, 204(a), 403, 801, and 1002(j) of the Federal Aviation Act of 1958,

It is ordered, That:

1. Order 77-10-124 and Order 77-10-139 be vacated insofar as they suspend and investigate super-APEX fares filed by Pan American World Airways, Inc., Trans World Airlines, Inc., KLM-Royal Dutch Airlines, and British Airways for travel between the United States and the Netherlands, and insofar as they suspend and investigate super-APEX fares filed by Pan American World Airways, Inc., Trans World Airlines, Inc., and Royal Air Maroc between the United States and Morocco;

2. This order shall be submitted to the President¹ and shall be effective on November 14, 1977; and

3. Copies of this order shall be filed in Passenger Fares Tariff No. PF-4, C.A.B. No. 44, issued by Air Tariffs Corporation, Agent, and International Passenger Fares Tariff No. 4, C.A.B. No. 22, issued by John M. Sampson, Agent, and served upon Pan American World Airways, Inc., Trans World Airlines, Inc., KLM-Royal Dutch Airlines, Royal Air

Maroc, British Airways, and the National Air Carrier Association.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.²

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 77-33271 Filed 11-16-77; 8:45 am]

[3510-25]

DEPARTMENT OF COMMERCE

Domestic and International Business
Administration

ELECTRON MICROSCOPE

Notice of Consolidated Decision on
Applications for Duty-Free Entry

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301). (See especially Section 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 77-00301. Applicant: Methodist Hospital, 1265 Union Avenue, Memphis, Tenn. 38104. Article: Electron Microscope, Model EM 201 and Accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of human pathological tissues or specimens derived from human material, such as fluids, tissue cultures, and viral or bacterial cultures isolated from human sources with particular emphasis on tumors and immunological diseases.

Experiments will be conducted with the following objectives:

(1) To determine the exact classification or diagnosis in tumors where light microscopic study is inadequate and apply information to selection and evaluation of therapy.

(2) To determine causative agents in various infectious diseases for purposes of diagnosis and treatment.

(3) To establish diagnosis in metabolic disorders as basis for treatment as well as generic counseling for parents and/or patients, and

(4) Identification of immune complexes or other evidence of immunologically reduced diseases for diagnostic and treatment purposes.

The article will also be used as an integral part of the residency program in Pathology to provide training essential to pathology residents for pathology board certification and use of technique that has become standard of practice in

some areas. Application received by Commissioner of Customs: July 14, 1977. Article ordered: December 28, 1976.

Docket Number: 77-00305. Applicant: Peter Bent Brigham Hospital, Department of Pathology, 721 Huntington Avenue, Boston, Mass. 02115. Article: Electron Microscope, Model JEM-100S. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for the study of ultrastructure of biological tissues, including kidney tumor and muscle biopsies for diagnostic purposes. The experiments to be conducted will involve pathogenesis of renal and vascular diseases with the objective of obtaining perfection of these techniques so new information related to renal and vascular diseases, tumors and muscle diseases can be investigated. The article will be used for instruction of residents and fellows in ultrastructure technique. Application received by Commissioner of Customs: July 18, 1977. Article ordered: June 17, 1977.

Docket Number: 77-00312. Applicant: Children's Hospital Medical Center, 300 Longwood Avenue, Boston, Mass. 02155. Article: Electron Microscope, Model JEM-100S, Haskris Water Recirculator and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for the study of ultrastructure of biological materials and single brain neurons in experiments to be conducted involving characterization of brain cell development. The instrument will also be used for graduate instruction in ultra technique. Application received by Commissioner of Customs: July 22, 1977. Article ordered: March 31, 1977.

Docket Number: 77-00313. Applicant: University of Wisconsin, The McArdle Laboratory, Madison, Wis. 53706. Article: Electron Microscope, Model H-500-5 and Accessory. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used in experimental oncology (cancer research) in studies of biological ultrastructure. The principal projects in which the article will be used are:

(1) Ultrastructure and mapping of the genomes of oncogenic DNA viruses—studies involving a structural analysis and map location of SV40 virus-specific RNAs using the "R loop" method and that of chemically coupling ferritin to the ends of RNA molecules as well as direct visualization of RNA molecules with the extremely high resolution capable with this microscope;

(2) Mapping and regulation of transcription of bacterial virus genomes—molecular mapping of many deletions and other arrangements in the genome using the heteroduplex mapping technique by electron microscopy;

(3) Ultrastructure of junctional complexes of primary cultures of hepatocytes—investigation of the ultrastructure of junctional complexes formed between two hepatocytes in cell culture; and

(4) Ultrastructure of ribosomal precursor RNA molecules—studies to visualize with the electron microscope the

¹This order was submitted to the President on November 3, 1977.

²All Members concurred.

ribosomal precursor RNAs (45s, 41s, 32s, etc.) taken from cells treated with base analogues including 5-azacytidine, 5-fluorouracil, 8-azaguanine, and 6-thioguanine. Application received by Commissioner of Customs: July 22, 1977. Article ordered: June 30, 1977.

Docket Number: 77-00316. Applicant: Veterans Administration Hospital, 11201 Benton Street, Loma Linda, Calif. 92354. Article: Electron Microscope, Model EM 10A. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for examination of tissue specimens including kidney biopsy, liver biopsy, and many muscle biopsy from VA patients as part of a routine anatomical pathology service. Specific application includes the study of red cell shape at the magnification of 30,000 times. The article will also be used for the training of pathology residents and postdoctoral fellows. Medical technician trainees, as well as a wide variety of students in order health related professions will have access to the article. Application received by Commissioner of Customs: July 26, 1977. Article ordered: June 28, 1977.

Docket Number: 77-00319. Applicant: University of California School of Medicine, Dermatology Section (111G), 4150 Clement Street, San Francisco, Calif. 94121. Article: Electron Microscope, Model EM 10A and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in the study of the cell biology of skin, particularly of the epidermis. Investigations will be conducted with the following objectives:

(1) To define membrane and cellular structures of the epidermis which subserve the barrier function.

(2) To characterize and localize major depots of lipids, of presumed importance for barrier function, within the epidermis, and

(3) To elucidate major pathways of percutaneous absorption, i.e., to determine which classes of polar vs. non-polar substances utilize intercellular vs. transcellular routes. Application received by Commissioner of Customs: August 1, 1977. Article ordered: June 28, 1977.

Docket Number: 77-00278. Applicant: The University of Michigan, Department of Physical Education, 401 Washtenaw Avenue, Ann Arbor, Mich. 48109. Article: Electron Microscope, Model EM 9S-2 and accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for studying the structural characteristics of muscle and the associated intracellular changes with aging and exercise and the relationship of the capillary network to muscle function. The objectives of the experiments to be conducted are to characterize the structural changes associated with exercise, training, and aging found in the tissues of rats and humans. It is hoped that through these experiments it will be possible to ascertain methods to optimally achieve the training effect and/or to retard the aging process. In addition, the article will be used for educational pur-

poses in the courses: Physiological and Kinesiological Bases of Human Movement, Physiological Bases of Physical Activity, Special Problems in Physical Education, and Exercise Physiology. The objectives of these courses are to associate the students with the physiological bases of movement and how muscle and heart are structured to allow for optimal movement. Application received by Commissioner of Customs: June 24, 1977. Article ordered: March 22, 1977.

Docket Number: 77-00280. Applicant: Oral Roberts University, 7777 South Lewis, Tulsa, Okla. 74171. Article: Electron Microscope, Model EM 400 HTG and Accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studying fixed biological material and prepared special materials used in dentistry. In addition, the article will be used as an aid in teaching and training graduate, medical and dental students in the following proposed courses: Normal Microscopic Anatomy (Histology, Cell Biology, Virology); Pathology; Dental Materials; Introduction to Ultrastructure; Introduction to Electron Microscopy; Advanced Methodology in Microscopy; Ultrastructural Cytochemistry; Problems course in Electron Microscopy. Application received by Commissioner of Customs: June 24, 1977. Article ordered: May 23, 1977.

Docket Number: 77-00283. Applicant: New Jersey Medical School, Department of Anatomy, College of Medicine & Dentistry of New Jersey, 100 Bergen Street, Newark, N.J. 07103. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for the following research projects:

(1) Studies of developmental aspects of ovarian follicles of the teleost *Oryzias latipes* by morphologic, histochemical, and isotope autoradiographic techniques at the ultrastructural level, (2) studies of ionic, protein, and bulk fluid transport across membranes of the isolated perfused lung, (3) investigation of how hypoxia, imposed during the prenatal and neonatal periods, affects the development of the brain, (4) localization of sites of pulmonary fat embolism and investigation to determine specifically the extent of lipoprotein lipase accumulation at the sites of injury as well as lipases in general, (5) studies of nerve regeneration and relation of glia to neurons in *Fundulus majalis*, (6) studies of the cellular movement and establishment of synaptic communication in the cerebellum of frog during metamorphosis, and (7) studies of various organs and tissues of the grey lethal mouse and its phenotypically normal littermates. In addition, the article will be used for educational purposes in the courses Electron Microscopy, Experimental Electron Microscopy and Ultrastructural Research. Application received by Commissioner of Customs: August 1, 1977. Article ordered: February 4, 1976.

Docket Number: 77-00284. Applicant: Arizona State University, Department of Botany & Microbiology, Tempe, Ariz. 85281. Article: Electron Microscope Model EM 201 and accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for the investigation of the location of NADP dependent isocitrate dehydrogenase in the bacterium *Escherichia coli* employing electron immunocytochemical techniques. The article will also be used to train graduate students and post-doctoral researchers in a formal course, Biological Electron Microscopy, BIO 512. Application received by Commissioner of Customs: June 27, 1977. Article ordered: June 8, 1977.

Docket Number: 77-00294. Applicant: Stanford University, 851 Welch Road, Palo Alto, Calif. 94304. Article: Electron Microscope, Model EM 400 HTG, and Accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of tissue preparations taken from a number of commonly used experimental animals, e.g. rat, mouse, leech, and frog and from established cell culture lines. These studies will be directed toward understanding the sequence of steps in the formation of synapses and the mechanisms underlying synaptic development. Specific projects include: regenerating mammalian and amphibian neuromuscular junction, regenerating axons in the central nervous system of the leech, determining the factors that influence the growth of neurons during development. The article will also be used in the courses Neurobiology 212 and Neurobiology 209 to teach the structure of the nervous system at the cellular level and developmental neurobiology. Application received by Commissioner of Customs: July 6, 1977. Article ordered: August 31, 1976.

Docket Number: 77-00297. Applicant: Stanford University, 851 Welch Road, Palo Alto, Calif. 94304. Article: Electron Microscope, Model EM 201, Plate Camera, Watt Water Chiller and accessories. Manufacturer: Philips Electronics Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of tissue preparations taken from a number of commonly used experimental animals, e.g., leech, rat, mouse, and frog. Studies will be directed toward understanding the structure, function and maintenance of synaptic connections between nerve cells and between nerve and muscle cells. The objectives of the experiments conducted are to learn how synapses function, how they can be modified, and how interaction between pre- and post-synaptic cells influence their maintenance. In addition, the article will be used in the courses Neurobiology 212 and Neurobiology 209 to teach the structure of the nervous system at the cellular level. Application received by Commissioner of Customs: July 7, 1977. Article Ordered: August 31, 1976.

Docket Number: 77-00298. Applicant: Naval Medical Research Institute, Bethesda, Md. 20014. Article: Electron Microscope, Model JEM-100CV (Standard Side Entry Type) and accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for studies of biological specimens including bacteria, viruses, parasites, fungi, and other microorganisms. Some of the phenomena to be investigated will include:

a. Infectious disease—ultrastructural evaluation of the biological properties of the cell membrane of *rickettsiae*; ultrastructural elevation of septic shock due to *Pseudomonas aeruginosa*.

b. Study of the effects of in vivo host immune response on migrating adult schistosomes, particularly alterations in surface membranes.

c. Study of the membrane turnover rates of schistosomes to gain information on shedding of surface antigens and membrane repair.

d. Ultrastructural localization of sporozoite antigens with immunocytochemical markers.

e. Localization and immunochemical study of exoerythrocytic stage antigens and their comparison to sporozoite antigens.

f. Immunological studies in trauma care research.

g. Ultrastructural evaluation of changes in hyperbaric medicine research.

Application received by Commissioner of Customs: July 11, 1977. Article ordered: August 1, 1977.

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purpose as these articles are intended to be used, was being manufactured in the United States at the time the articles were ordered.

Reasons: Each foreign article to which the foregoing applications relate is a conventional transmission electron microscope (CTEM). The description of the intended research and/or educational use of each article establishes the fact that a comparable CTEM is pertinent to the purposes for which each is intended to be used. We know of no CTEM which was being manufactured in the United States at the time each of the articles described above was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which was being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

BERNARD ASCHER
Director, Office of
Import Programs.

[FR Doc.77-33174 Filed 11-16-77; 8:45 am]

[3510-25]

SCIENTIFIC ARTICLES

Notice of Applications for Duty-Free Entry

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act (15 CFR 301) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 78-00024. Applicant: Northwestern University Medical School, Department of Pharmacology, 303 East Chicago Avenue, Chicago, Ill. 60611. Article: Nihon-Kohden Oscilloscope Camera—Model PC-3A. Manufacturer: Nihon Kohden Dogyo Co., Ltd., Japan. Intended use of article: The article is intended to be used for studies of bioelectric potential changes from excitable tissues. Membrane potential and membrane current are recorded from nerve and muscle tissues displayed on an oscilloscope, and photographed on a film. Membrane electrical properties including ionic conductances are then measured from the recorded film. Application received by commissioner of customs: October 27, 1977.

Docket Number: 78-0028. Applicant: University of Minnesota, Minnesota Agricultural Experiment Station, 220 Coffey Hall, St. Paul, Minn. 55108. Article: Scanning Electron Microscope, Model PSEM-500 and accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for research in many areas of agricultural science, particularly in research connected with Agronomy and Plant Breeding, Food Science, Entomology, Plant Pathology, and Soil Science. Planned projects will include the following: (1) plant breeding projects concerning the inheritance of minute internal plant structures, (2) research projects concerning normal vs. pathogen-induced changes in apical shoot meristems of economically important annual plants, primarily angiosperms, and (3) the study of various aspects of spore ontogeny (formation) and refill capacity in minute fungal fruiting structures such as the globose-shaped pycnidia (fruiting

structure) of fungi in the order Sphaeropsidales. Application received by commissioner of customs: October 27, 1977.

Docket Number: 78-00032. Applicant: University of Kentucky—Tobacco & Health Research Institute, Lexington, Ky. 40506. Article: Electron Microscope, Model EM 400. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of the ultrastructural aspects of the pathology of pulmonary tissues and for high resolution analysis of the ultrastructure of mitochondria and other cell organelles. Application received by Commissioner of Customs: October 31, 1977.

Docket Number: 78-00033. Applicant: Mercy Hospital and Medical Center, 4077 Fifth Avenue, San Diego, Calif. 92103. Article: Electron Microscope, Model Corinth 500 and Accessories. Manufacturer: AEI Scientific Instruments, Ltd., United Kingdom. Intended use of article: The article is intended to be used to examine human tissues as they relate to diagnostic electron microscopy. These will include a wide variety of neoplasms, liver, renal and muscle tissues. In addition, the instrument will be used to identify viral particles or inclusions from tissues or from tissue scrapings and exudates. Primarily, the properties of the tissues to be examined are those of normal and abnormal human cells, and extracellular material (usually products of cells). Ultrastructural features of cells in disease or neoplastic states in comparison to their normal state will be examined. The article will also be integrated in the pathology resident training program providing residents with an in-depth knowledge of ultrastructural pathology in relation to diseases in general and diagnostic electron microscopy. Application received by Commissioner of Customs: October 31, 1977.

Docket Number: 78-00034. Applicant: University of Virginia, Department of Biochemistry, School of Medicine, Charlottesville, Va. 22901. Article: JEOL/FX-60Q High Resolution Fourier Transform Nuclear Magnetic Resonance Spectrometer and accessories. Manufacturer: JEOL Analytical Instruments, Japan. Intended use of article: The article is intended to be used for physical studies of phospholipid bilayers, which serve as models for biological membranes. The research projects (Cholesterol-Phosphatidylcholine Interactions and Compositional Domains in Bilayers) involve a variety of techniques, e.g., analytical ultracentrifugation, fluorescence, calorimetry. Application received by Commissioner of Customs: October 31, 1977.

Docket Number: 77-00383. Applicant: School of Dental Medicine—State University of New York at Stony Brook, Stony Brook, N.Y. 11794. Article: Gingival Crevicular Fluid Meter (Periotron). Manufacturer: Harco Electronics Ltd., Canada. Intended use of article: The article is intended to be used to measure the degree of inflammation of gingival tissues during experiments conducted to reveal the effect of clinical dental procedures on gingival health. The article

will also be used in clinical teaching in which dental students will be instructed how to use this tool to evaluate and monitor the suitability to periodontum of dental procedures that they perform in the clinic. Application received by Commissioner of Customs: November 2, 1977.

Docket Number: 78-00029. Applicant: LOGO Group, Artificial Intelligence, M.I.T., 545 Technology Square, Cambridge, Mass. 02139. Article: General Turtle TT3500 Computer Systems, and accessories. Manufacturer: Societe General Tortue Ltee, Canada. Intended use of article: The article is intended to be used in a research project which will thoroughly document the experiences of a small number of 5th grade children in an elementary school computer laboratory, using LOGO, an advanced computer language designed for children. Detailed anecdotal records will be kept, and observers will note the development of the children's computer programming skills, and the acquisition of knowledge in the areas of mathematics, science, and language, and of cognitive strategies and attitudinal changes which transfer beyond the specific subject matter studied. Application received by Commissioner of Customs: November 2, 1977.

Docket Number: 78-00036. Applicant: St. Jude's Children's Research Hospital, 332 North Lauderdale, Memphis, Tenn. 38101. Article: LKB 8800A Ultratome III Ultramicrotome complete. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of biological materials from humans, animals, fungi, bacteria, and viruses by investigators with widely divergent research interest from several different clinical and basic research laboratories in the hospital. Ultrastructural studies will be conducted in a wide variety of areas including:

Pathologic human tissues; normal and pathologic blood cells; normal and pathologic animal tissue; cyto- and histochemical location of enzymes and subcellular organelles localization in cells; subcellular changes in cells induced by changes in their biochemical environment; and membrane interaction with microfilaments, microtubules and virus particles.

Application received by Commissioner of Customs: November 2, 1977.

Docket Number: 78-00039. Applicant: MIT-Lincoln Laboratory, 244 Wood Street, Lexington, Mass. 02173. Article: Type C0.10.1 Carcinotron (Backward-Wave Oscillator) w/275 to 290 GHZ Tuning Range and 100 MV Output. Manufacturer: Thomson CSF, France. Intended use of article: The article is intended to be used as a component of a submillimeter heterodyne radiometer being used for the purpose of carrying out laboratory demonstrations of the feasibility of observing rocket plumes at high altitudes. Application received by Commissioner of Customs: November 3, 1977.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.77-33175 Filed 11-16-77;8:45 am]

[3510-25]

Foreign-Trade Zones Board

[Order No. 124]

REGIONAL INDUSTRIAL DEVELOPMENT CORP.

Resolution and Order Approving Application for a Foreign-Trade Zone in Allegheny County, Pa., and a Foreign-Trade Subzone in Westmoreland County, Pa.

Proceedings of the Foreign-Trade Zones Board, Washington, D.C.

RESOLUTION AND ORDER

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board has adopted the following Resolution and Order:

The Board, having considered the matter hereby orders:

After consideration of the application of the Regional Industrial Development Corp. of Southwestern Pennsylvania, Pittsburgh, Pa., filed with the Foreign-Trade Zones Board (the Board) on April 28, 1977, requesting a grant of authority for establishing, operating, and maintaining a general-purpose foreign-trade zone in Allegheny County, Pa., and a special-purpose subzone at the Volkswagen automobile assembly plant in Westmoreland County, Pa., both sites being within or adjacent to the Pittsburgh Customs port of entry, the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the application.

As the proposal involves an industrial park type general-purpose zone and an assembly plant subzone that envisage the possible construction of buildings by parties other than the grantee, this approval includes authority to the grantee to permit the erection of such buildings, pursuant to section 400.815 of the Board's regulations, as are necessary to carry out the proposal, providing that prior to its granting such permission it shall have the concurrences of the local District Director of Customs, the U.S. Army District Engineer, when appropriate, and the Board's Executive Secretary. Further, the grantee shall notify the Board's Executive Secretary for approval prior to the commencement of any manufacturing operations within the zone sites that were not described in the application. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized to issue a grant of authority and appropriate Board Order.

GRANT

TO ESTABLISH, OPERATE, AND MAINTAIN A FOREIGN-TRADE ZONE IN ALLEGHENY COUNTY, PA., AND A FOREIGN-TRADE SUBZONE IN WESTMORELAND COUNTY, PA.

Whereas, by an act of Congress approved June 18, 1934, an Act "To provide for the

establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a-81u), (the Act), the Foreign-Trade Zones Board (the Board) is authorized and empowered to grant to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under the jurisdiction of the United States;

Whereas, the Regional Industrial Development Corp. of Southwestern Pennsylvania (the Grantee) has made application (filed April 28, 1977) in due and proper form to the Board requesting the establishment, operation, and maintenance of a general-purpose foreign-trade zone in Allegheny County, Pa., and a special-purpose subzone at the Volkswagen auto assembly plant in Westmoreland County, Pa., both sites being in the Pittsburgh Customs port of entry area;

Whereas, notice of said application has been given and published, and full opportunity has been afforded all interested parties to be heard; and

Whereas, the Board has found that the requirements of the Act and the Board's regulations (15 CFR Part 400) are satisfied;

Now, therefore, the Board hereby grants to the Grantee the privilege of establishing, operating, and maintaining a general-purpose foreign-trade zone, designated on the records of the Board as Zone No. 33, and a special-purpose subzone, designated as Subzone No. 33 A, at the locations mentioned above and more particularly described on the maps and drawings accompanying the application in Exhibits IX and X, said grant being subject to the provisions, conditions, and restrictions of the Act and the regulations issued thereunder, to the same extent as though the same were fully set forth herein, and also to the following express conditions and limitations:

Operation of the zone and subzone shall be commenced by the Grantee within a reasonable time from the date of issuance of the grant, and prior thereto the Grantee shall obtain all necessary permits from Federal, State, and municipal authorities.

The Grantee shall allow officers and employees of the United States free and unrestricted access to and throughout the foreign-trade zone and the special-purpose subzone in the performance of their official duties.

The Grantee shall notify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operations within the zone or subzone.

The grant shall not be construed to relieve the Grantee from liability for injury or damage to the person or property of others occasioned by the construction, operation, or maintenance of said zone, and in no event shall the United States be liable therefor.

The grant is further subject to settlement locally by the District Director of Customs and the District Army Engineer with the Grantee regarding compliance with their respective requirements for the protection of the revenue of the United States and the installation of suitable facilities.

In witness whereof, the Foreign-Trade Zones Board has caused its name to be signed and its seal to be affixed hereto by its Chairman and Executive Officer at Washington, D.C., this 9th day of No-

vember 1977 pursuant to order of the Board.

FOREIGN-TRADE ZONES
BOARD,

JUANITA M. KREPS,
Chairman and Executive Officer.

Attest:

JOHN J. DA PONTE,
Executive Secretary.

[FR Doc. 77-33176 Filed 11-16-77; 8:45 am]

[3510-03]

Maritime Administration

U.S. FLAG MERCHANT VESSEL LOCATOR FILING SYSTEM (USMER)

Amendment to Message Format

ACTION: Notice of amendment to USMER message format.

SUMMARY: The U.S. flag merchant vessel locator filing system (USMER) is used to keep national agencies informed of arrivals, departures, and at-sea locations of U.S. flag vessels operating in the foreign commerce of the United States.

Some U.S. flag vessels include sailing route information in the remarks sections of the USMER message. This route information has helped considerably in accurately advancing ships D. R. position. To improve upon USMER, sailing route data and vessel speed will now be a required part of all USMER departure messages. For example, a sample departure message might read as follows (with new data in italics):

ROUTINE

DTG

FM SS THETIS

TO AIG THREE EIGHT EIGHT

BT

UNCLAS

USMER

USMER

SHIP/THETIS/KMJH//

DEP/CAPETOWN/SF/080100Z//

DES/NEWORLEANS/US/081722Z//

RTE/3354S/0182E/GC0500S/03500W/

RL1205N/06300W/RL1739N/07800W/

RL2150N/08510W/RL2859N/08907W/

18//

ZZZ

BT

The format for USMER departure messages remains the same except for the newly added route line (RTE) which includes *position coordinates and vessel speed*, which in the example above is 18 knots. Use *RL* for rhumb line, or *GC* for great circle before each point to show method of sailing. When track is to be coastal, state "coastal" for that part of route.

EFFECTIVE DATE: Upon publication in the FEDERAL REGISTER.

FOR FURTHER INFORMATION CONTACT:

Mr. Arys H. Huizinga, Chief, Division of Ship Management, Office of Domestic Shipping, Room 6086, Maritime Administration, 14th and E Streets NW., Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION: A notice was published in the FEDERAL REGISTER on August 8, 1975 (40 FR 33480) that the U.S. flag merchant vessel locator filing system (USMER) was being established, effective November 1, 1975. This amendment to the USMER message format is issued pursuant to the authority vested in the Secretary of Commerce under section 212 (A) of the Merchant Marine Act of 1936, as amended (46 U.S.C. 1122a), and delegated to the Assistant Secretary for Maritime Affairs under Department Organization Order 10-8 of June 19, 1972.

By order of the Assistant Secretary for Maritime Affairs.

Dated: November 14, 1977.

JAMES S. DAWSLN, Jr.,
Secretary.

[FR Doc. 77-33290 Filed 11-16-77; 8:45 am]

[3510-25]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

LIFTING PROHIBITION ON CERTAIN MAN-MADE FIBER SWEATERS AND CARDIGANS FROM THE PHILIPPINES

NOVEMBER 15, 1977.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Permitting entry of sweaters and cardigans of man-made fibers in Category 221 from the Philippines in excess of the level of restraint established for the fifteen-month period which began on October 1, 1976, and which have been exported to the United States before December 6, 1977.

SUMMARY: Under the terms of paragraph 16 of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement, as amended, between the Governments of the United States and the Republic of the Philippines, the United States Government has agreed to permit entry of an additional 17,000 dozen of man-made fiber sweaters and cardigans in Category 221, produced or manufactured in the Philippines and exported to the United States before December 6, 1977, pending the reconciliation of statistical discrepancies which have occurred in Category 221 during the fifteen-month period which began on October 1, 1976 and extends through December 31, 1977. The Government of the Republic of the Philippines has agreed to adjust future shipping levels by the total amount of any overage.

EFFECTIVE DATE: November 17, 1977
FOR FURTHER INFORMATION CONTACT:

Clinton J. Stack, Deputy Director, Implementation Division, Office of Textiles, U.S. Department of Commerce
Washington, D.C. 20230, 202-377-4058

SUPPLEMENTARY INFORMATION
On September 27, 1976, there was published in the FEDERAL REGISTER 41 FR

42234 a letter dated September 22, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, which established levels of restraint applicable to certain specified categories of cotton and man-made fiber textile products, produced or manufactured in the Philippines and exported to the United States during the twelve-month period which began on October 1, 1976 and extended through September 30, 1977. The agreement was amended by directive of August 5, 1977 (42 FR 40304) and extended for three months through December 31, 1977. The amendment established, among other things, a specific level of restraint for knit sweaters and cardigans in Category 221.

In the letter of November 15, 1977, published below, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to permit entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 221 produced or manufactured in the Philippines and exported to the United States before December 6, 1977 to a level not to exceed 87,554 dozen during the fifteen month period which began on October 1, 1976 and extends through December 31, 1977.

ROBERT E. SHEPHERD,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance
U.S. Department of Commerce.

COMMITTEE FOR THE
IMPLEMENTATION OF TEXTILE AGREEMENTS,
November 15, 1977.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20229

DEAR MR. COMMISSIONER: This directive further amends, but does not cancel, the directive issued to you on September 22, 1976 by the Chairman of the Committee for the Implementation of Textile Agreements concerning imports into the United States of certain specified categories of cotton and man-made fiber textile products, produced or manufactured in the Philippines. The directive of September 22, 1977 was previously amended by directives of August 5, 1977, and October 13, 1977.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of October 15, 1975, as amended, between the Governments of the United States and the Republic of the Philippines, and in accordance with the provisions of Executive Order 11651 of March 3, 1972 you are directed, effective on November 17, 1977 and for the period extending through December 31, 1977 to permit entry for consumption, or withdrawal from warehouse for consumption of man-made fiber textile products in Category 221 that have been produced or manufactured in the Philippines

and exported to the United States prior to December 6, 1977 in an amount not to exceed the following amended level of restraint:

Categories	Amended fifteen-month level of restraint ¹ (dozen)
221 ²	87,554

¹ The amended level of restraint has not been adjusted to reflect any imports after September 30, 1976.

² All T.S.U.S. numbers in Category 221 except 382.0427 and 382.7870, have been adjusted to reflect any imports after September 30, 1976.

The actions taken with respect to the Government of the Republic of the Philippines and with respect to imports of man-made fiber textile products from the Philippines have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ROBERT E. SHEPHERD,
Chairman, Committee for the Implementation of Textile Agreements,
and Deputy Assistant Secretary
for Resources and Trade Assistance.

[FR Doc.77-33348 Filed 11-16-77;8:45 am]

[3810-71]

DEPARTMENT OF DEFENSE

Department of the Navy

RELOCATION OF THE NATIONAL PARACHUTE TEST RANGE (NPTR) MISSION FROM EL CENTRO, CALIFORNIA, TO THE NAVAL WEAPONS CENTER, CHINA LAKE, CALIFORNIA

Environmental Assessment

The Department of the Navy chaired a tri-service study group to develop a plan to relocate the National Parachute Test Range (NPTR) at El Centro, Calif., to other existing locations. This Study Group completed its work and submitted its final report, "A plan for Relocating the RDT&E (Research, Development, Test, and Evaluation) Mission and Functions of the National Parachute Test Range," on September 1, 1977. Based upon this study, the Deputy Secretary of Defense decided that the NPTR located at El Centro should be disestablished and its workload transferred to the Naval Weapons Center (NWC), China Lake, Calif., which would assume the NPTR mission responsibility for parachute testing. The Deputy Secretary of Defense designated the Secretary of the Navy as the Executive Agent with primary responsibility for the implementation of this decision.

Notice is hereby given, pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and Department of Defense Regulations, "Environmental Consideration on DoD Action" (32 CFR Part 214), that an Environmental Impact Statement (EIS) is not being prepared for the disestablishment of the NPTR.

Even though the NPTR workload will be relocated, the El Centro airfield will not be closed since it is used extensively by the U.S. Pacific Fleet air forces. Accordingly, the Navy will continue to operate El Centro to support the Fleet. The Military Departments may continue to conduct parachute testing at other installations when such testing can be accommodated within existing resources. The 6511th Test Squadron (Parachute) located at El Centro will be deactivated, and its aerodynamic deceleration testing mission will be transferred to the Air Force Flight Test Center (AFFTC) at Edwards Air Force Base, Calif. These actions, which are now possible because of the decrease in parachute test requirements since the peak of activity during the Southeast Asia conflict, will be phased in over a period of time. It will take approximately 18 months for relocation of the NPTR workload to the NWC and 6 months for relocation of the 6511th to AFFTC. Moreover, these actions will reduce manpower requirements by 68 personnel (37 military and 31 civilian). Approximately 45 contractor employees will also be affected. In addition, annual operating costs will be reduced by approximately \$3 million, and one-time relocation costs are expected to be approximately \$2.7 million.

The Study Group's report of September 1, 1977, as well as the basic data developed during the environmental assessment are on file and may be reviewed by interested parties in the Office of the Assistant Secretary of the Navy, Manpower, Reserve Affairs, and Logistics (MRA&L), Central Plaza 5, Room 244, Washington, D.C. 20360. Also, a limited number of copies of the determination that no significant adverse environmental impacts will occur are available from the Office of the Assistant Secretary of the Navy (MRA&L) to fill single copy requests.

Interested persons are invited to comment on these proposed actions and the determination that no significant adverse environmental impact will occur by submitting written data, views, and comments to Captain M. J. Macdonald, CEC, USN, Director, Installations and Facilities, Office of the Assistant Secretary of the Navy (MRA&L), Central Plaza 5, Room 244, Washington, D.C. 20360. All written material received on or before December 19, 1977, will be considered

prior to final action and implementation is taken.

For further information concerning this notice, contact: Captain M. J. Macdonald, CEC, USN, Director, Installations and Facilities, Office of the Assistant Secretary of the Navy (MRA&L), Central Plaza 5, Room 244, Washington, D.C. 20360, Telephone 202-692-2356.

Dated: November 11, 1977.

K. D. LAWRENCE,
Captain, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Administrative Law).

[FR Doc.77-33206 Filed 11-16-77;8:45 am]

[3128-01]

DEPARTMENT OF ENERGY

Economic Regulatory Administration

CASES FILED WITH OFFICE OF ADMINISTRATIVE REVIEW

Week of October 28 Through November 4, 1977

Notice is hereby given that during the week of October 28 through November 4, 1977, the appeals and applications for exception or other relief listed in the appendix to this notice were filed with the Office of Administrative Review of the Economic Regulatory Administration of the Department of Energy.

Under the DOE's procedural regulations. For purposes of those regulations, will be aggrieved by the DOE action sought in such cases may file with the DOE written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Administrative Review, Economic Regulatory Administration, Department of Energy, Washington, D.C. 20461.

MELVIN GOLDSTEIN,
Acting Director, Office of
Administrative Review.

NOVEMBER 11, 1977.

*APPENDIX.—List of cases received by the Office of Administrative Review, week of
Oct 28 through Nov. 4, 1977*

Date	Name and location of applicant	Case No.	Type of submission
Oct. 28, 1977	Chevron U.S.A., Inc., San Francisco, Calif. (If granted: The DOE's Oct. 19, 1977 assignment order would be rescinded and Chevron U.S.A., Inc. would not be required to sell 397,953 bbl of crude oil to Plateau, Inc.)	DEA-0022 DES-0022	Appeal of DOE's assignment order dated Oct. 19, 1977. Stay request.
Do	Davison Oil Co., Inc., Mobile, Ala. (If granted: The FEA's Aug. 29, 1977 remedial order would be rescinded and Davison Oil Co., Inc. would not be required to refund overcharges made in its sales of diesel fuel.)	DRA-0021	Appeal of FEA Region IV's remedial order dated Aug. 29, 1977.
Do	First Chemical Corp., Washington, D.C. (If granted: The First Chemical Corp. would receive an increase in its base period use of propane.)	DEE-0097	Exception to increase base period use (sec. 211.12).
Do	Shank, Irwin, Conant, Williamson & Grevelle, Dallas, Tex. (If granted: The FEA's Sept. 9, 1977 information request denial would be rescinded and Shank, Irwin, Conant, Williamson & Grevelle would receive access to a memorandum dated May 22, 1976 concerning Interpretation 1975-24.)	DFA-0023	Appeal of FEA's information request denial dated Sept. 9, 1977.
Oct. 31, 1977	Cotten, Day & Doyle, Washington, D.C. (If granted: The FEA's Sept. 20, 1977 information request denial would be rescinded and Cotten, Day & Doyle would receive access to FEA data concerning the exception application of the Guam Oil and Refining Co.)	DFA-0025	Appeal of FEA's information request denial dated Sept. 20, 1977.
Do	Hanover Management Co., Dallas, Tex. (If granted: The exception relief approved in the June 14, 1977 decision and order which permits Hanover to sell the crude oil produced from the Fruin "A" No. 1 well located in Payne County, Okla., at upper tier ceiling prices would be extended.)	DEE-0099	Extension of exception relief granted in Hanover Management Co., 6 FEA Par. 83,006 (June 14, 1977).
Do	Midroc Oil Co., Dallas, Tex. (If granted: Midroc Oil Co.'s J. W. Parker Lease located in the Alloway Field, Adams County, Miss., would be classified as a stripper well property.)	DEE-0098	Price exception (sec. 212.73).
Do	Northern Illinois Gas Co., Aurora, Ill. (If granted: The FEA's Sept. 30, 1977 modification of decision and order dated Apr. 26, 1977 would be rescinded except for that portion which covers the assignment of base period suppliers of propane, butane, natural gasoline and naphtha and base period volumes other than those assigned for use in BTU enrichment and as SNG feedstock.)	DEA-0026	Appeal of FEA's Sept. 30, 1977 modification of decision and order dated Apr. 26, 1977.
Do	Standard Oil Co. (Ohio), Cleveland, Ohio. (If granted: The FEA's Sept. 29, 1977 information request denial would be rescinded and the Standard Oil Co. (Ohio) would receive access to FEA data from which reference and maximum prices for the months March, April, and May 1975 were calculated pursuant to 10 CFR 212.84.)	DFA-0024	Appeal of FEA's information request denial dated Sept. 29, 1977.
Oct. 2, 1977	A. Johnson & Co., Inc., New York, N.Y. (If granted: A. Johnson & Co., Inc. would receive various types of administrative relief from the mandatory petroleum allocation and price regulations which would permit it to consider its refineries in Newington, N.H. and Wilmington, N.C., as separate facilities for purposes of the entitlements program and fee-exempt import allocations.)	DEE-0101 DES-0101	Exception to mandatory petroleum allocation and price regulations (Pts. 211, 212, 213). Stay request.
Nov. 2, 1977	Sun Company, Inc., Dallas, Tex. (If granted: The FEA's April 4, 1977 decision and order would be modified and the Sun Co.'s non-product cost increases for natural gas liquid products would be calculated on the basis of the most recent fiscal quarters for which data is available.)	DMR-0005	Request for modification.
Do	Texaco, Inc. (Fairway) (Fordoché), Houston, Tex. (If granted: Texaco, Inc. would be permitted to increase its prices to reflect non-product cost increases in excess of \$0.005/gal for natural gas liquid products produced at the Fairway and Fordoché Plants.)	DEE-0102 DEE-0103	Price exception (sec. 212-165).
Nov. 3, 1977	Caribou Four Corners, Inc., Afton, Wyo. (If granted: Caribou Four Corners, Inc. would be granted an exception from 10 CFR 212.131 which would permit it to receive upper tier ceiling prices for condensate which it previously sold to Plateau, Inc.)	DEE-0104	Price exception (sec. 212-131).
Do	Mo-Tex Petroleum, Inc., Jefferson City, Mo. (If granted: The FEA's remedial order would be rescinded and Mo-Tex Petroleum, Inc. would not be required to refund overcharges made on sales of motor gasoline and diesel products.)	DRA-0027	Appeal of FEA region VII's remedial order.
Do	Southland Oil Co./VGS Corp., Jackson, Miss. (If granted: The Southland Oil Co. would receive an extension of the exception relief granted in the FEA's June 14, 1977 decision and order which would relieve the firm of its entitlement purchase obligation beginning Dec. 1, 1977.)	DXE-0105	Extension of exception relief granted in Southland Oil Co., 6 FEA Par. 83,019 (June 14, 1977).
Do	Paul M. Terada, Palo Alto, Calif. (If granted: Paul M. Terada would be granted a stay of the requirements of the FEA Region IX's July 19, 1977 remedial order pending a final determination of his appeal of that order.)	DRS-0012	Stay request.
Nov. 4, 1977	Donelan, Cleary, Wood & Maser, Washington, D.C. (If granted: The FEA's Sept. 12, 1977 information request denial would be rescinded and Donelan, Cleary, Wood & Maser would receive access to FEA data concerning a Government contract awarded to Mortada International.)	DFA-0029	Appeal of FEA information request denial dated Sept. 12, 1977.
Do	McCulloch Gas Processing Corp., Washington, D.C. (If granted: The McCulloch Gas Processing Corp. would receive an extension of the exception relief granted in the FEA's June 20, 1977 decision and order which would permit it to increase its prices to reflect non-product cost increases in excess of \$0.005/gal. for natural gas liquid products produced at the Fairview, Hilgert, Jamison Prong, Tule Creek, and Well Draw Plants.)	DXE-0107 through DXE-0111	Extension of exception relief granted in McCulloch Gas Processing Corp., Case No. FFE-4174 through FFE-4178 (decided June 20, 1977) (unreported decision).

Date	Name and location of applicant	Case No.	Type of submission
Do	Har-Ken Oil Co., Inc., Owensboro, Ky. (If granted: The DOE region IV's Oct. 21, 1977 remedial order would be rescinded and Har-Ken Oil Co. would not be required to refund overcharges made on sales of crude oil produced from lease No. 3188, Island Creek Coal.)	DRA-0028	Appeal of DOE region IV's remedial order dated Oct. 21, 1977.
Do	Stoltz, Wagner & Brown, Midland, Tex. (If granted: A portion of the crude oil produced and sold from Stoltz, Wagner & Brown's Edna No. 1 well and Wanda No. 1 well located in Lea County, N. Mex., would be sold at price levels which exceed the applicable lower tier ceiling price.)	DEE-0106	Price exception (see 212.73).

**Notices of Objection Received—Week of
Oct. 28 through Nov. 4, 1977**

Date	Name and location of Applicant	Case No.
Oct. 28, 1977	Damson Oil Corp., Houston, Tex.	FEE-4461
	Dorchester Gas Corp.; American Petrofina, Inc., Washington, D.C.	FEE-4369
Nov. 1, 1977	Gibson Oil and Refining Co., Rodeo, Calif.	FEE-4387
Nov. 2, 1977	Stephens and Cass, Dallas, Tex.	FEE-4095
Nov. 3, 1977	Nageezi Trading Post, Nageezi, N. Mex.	DRC-0005
	V and J Service, Coal Valley, Ill.	DRC-0004
Nov. 4, 1977	Stovall Oil Co., Casper, Wyo.	FXE-4080
	Texaco, Inc., Los Angeles, Calif.	FEE-4457

[6740-02]

[Docket Nos. CI77-224, et al.]

APPLICATIONS FOR CERTIFICATES, ABANDONMENT OF SERVICE AND PETITIONS TO AMEND CERTIFICATES¹

NOVEMBER 9, 1977.

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

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desir-

ing to be heard or to make any protest with reference to said application should on or before November 18, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

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

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

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft ³	Pressure base
CI77-224..... C 10-3-77	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	Northern Natural Gas Co., Three Bar Field Andrews County, Tex.	(1)	14.65
CI77-250..... C 10-17-77	Pioneer Production Corp. (non-operator), P.O. Box 2542, Amarillo, Tex. 79105.	El Paso Natural Gas Co., Wolfcamp formation of the Government "AD" No. 2 well, La Huerta Field, Eddy County, N. Mex.	(1)	14.65
CI77-307..... C 7-25-77	Gulf Oil Corp., P.O. Box 2100, Houston, Tex. 77001	Cities Service Gas Co., certain acreage in the Alpar Tonkawa Field Hemphill County, Tex.	201.584¢	14.65
CI77-327..... C 9-23-77	Cities Service Co., P.O. Box 300, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Section 10-21S-26E, Eddy County, N. Mex.	(1 2)	14.65

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

See footnotes at end of table

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft ³	Pres- sure base
CI77-344 C 9-26-77	Southland Royalty Co., 1600 First National Bldg., Fort Worth, Tex. 76102.	Panhandle Eastern Pipe Line Co., Shannon Sandstone Formation, Sections 7, 20 and 33, Township 45 North, Range 75 West, Campbell County, Wyo.	(1)	15.025
CI77-360 C 7-29-77	Placid Oil Co., 1600 First National Bank Bldg., Dallas, Tex. 75202.	Transcontinental Gas Pipe Line Corp., Bassfield Field, Jefferson Davis County, Miss.	(1)	15.025
CI77-490 C 8-9-77	Union Oil Co. of Calif., P.O. Box 7600, Los Angeles, Calif. 90051.	Columbia Gas Transmission Corp., Block 594, West Cameron area, off- shore, La.	(1)	15.025
CI77-492 C 8-8-77	Union Oil Co. of Calif.	Texas Eastern Transmission Corp., Block 593 West Cameron area, off- shore, Louisiana.	(1)	15.025
CI77-517 C 9-6-77	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	Mid Louisiana Gas Co., East Cam- eron Block 335 Field, offshore Louisiana.	1 147.3760	14.73
CI77-518 C 9-6-77	Exxon Corp.	Northern Natural Gas Co., East Cameron Block 335 Field, offshore Louisiana.	1 147.3760	14.73
CI77-519 C 9-6-77	do.	Columbia Gas Transmission Corp., East Cameron Block 335 Field, offshore Louisiana.	1 147.3760	14.73
CI77-520 C 6-27-77	Exxon Corp., P.O. Box 2180, Hous- ton, Tex. 77001.	El Paso Natural Gas Co., Turkey Track Field, Eddy County, N. Mex.	1 157.24¢	14.73
CI77-547 F 6-6-77	Atlantic Richfield Co., (successor to Union Oil Co. of Calif.), P.O. Box 2819, Dallas, Tex. 75221.	Arkansas Louisiana Gas Co., Roy Reed unit, LeFlore County, Okla.	1 108.16¢	14.65
CI77-556 F 6-13-77	Gulf Oil Corp. (partial successor to Pennzoil Co.), P.O. Box 2100, Houston, Tex. 77001.	Panhandle Eastern Pipe Line Co., Granite Wash Field Hemphill County, Tex.	(1 ²)	14.65
CI77-557 F 6-15-77	Gulf Oil Corp. (Partial successor to Excelsior Oil Corp.)	Kansas-Nebraska Natural Gas Co. Inc., Granite Wash and Southeast, Canadian Douglas Fields Hemphill County, Tex.	(1 ⁴)	14.65
CI77-558 F 6-15-77	Gulf Oil Corp. (partial successor to Anadarko Production Co.)	Panhandle Eastern Pipe Line Co., Granite Wash Field Hemphill County, Tex.	(1 ⁴)	14.65
CI77-567 C 8-10-77	Union Oil Co. of Calif., P.O. Box 7600, Los Angeles, Calif. 90051.	Northern Natural Gas Co., blocks 34 and 60, Vermilion area, offshore Louisiana.	(1 ⁷)	15.025
CI77-695 C 8-5-77	South Louisiana Production Co., Inc., P.O. Box 52088 OCS, Lafay- ette, La. 70501	United Gas Pipe Line Co., Olinkraft No. 21 Lease, being the east one-half of section 21 and the West three-quar- ters of section 22, Township 13 North, Range 2 East, Grayson Field, Cald- well Parish, La.	1 \$1.46	14.73
CI77-697 C 8-8-77	Texaco Inc., P.O. Box 3109, Midland Tex. 79702.	Panhandle Eastern Pipe Line Co., Hannas Draw (Douglas) Field, Hansford County, Tex.	(1)	14.65
CI77-704 C169-825, B 7-25-77	TransOcean Oil, Inc., 1700 First City East Bldg., 1111 Fannin, Houston, Tex. 77001.	Trunkline Gas Co., South Timbalier, blocks 179 and 187, offshore Louisi- ana.	(1)	-----
CI77-706 A 7-28-77	Pacific Lighting Gas Development Co., 720 West Eighth St., Los Angeles, Calif 90017.	Pacific Interstate Transmission Co., Wink Airport No. 2, well in section 11, block 21 University Lands Survey, in Apollo Field, Winkler County, Tex.	1 \$1.46 1 \$1.47	14.73
CI77-709 C 10-11-77	MRT Exploration Co., 9900 Clay- ton Rd., St. Louis, Mo. 63124.	Mississippi River Transmission Corp., Barnette et al., No. 1 unit, Holly Field, DeSoto Parish, La.	1 153.8626	14.73
CI77-746 F 8-22-77	Signal Petroleum successor to U.S. Oil of Louisiana), Golden Center One, 2800 North Loop West, Hous- ton, Tex. 77018.	Southern Natural Gas Co., Diamond Field, Plaquemines Parish, La.	(1)	15.025
CI77-751 A 8-22-77	Sun Oil Co., P.O. Box 20, Dallas, Tex. 75221.	Florida Gas Transmission Co., New- son Field Area, Marion County, Miss.	(1)	15.025
CI77-752 C 10-25-77	Supron Energy Corp. (successor to A A Minerals Corp.), Suite 1700, Campbell Centre, 8350 North Central Expressway, Dallas, Tex. 75206.	Northwest Pipeline Corp., Adak State No. 1 Well, SW 1/4, section 16, Adak Federal No. 4 Well, NE 1/4, section 17, and Adak 11-1A Well, SW 1/4, section 11, Township 21 South, Range 23 East, Grand County, Utah.	(1)	15.025
CI77-752 C and D 10-17-77	Supron Energy Corporation (suc- cessor to A A Minerals Corp.).	Northwest Pipeline Corp., Adak State No. 1 Well, Adak Federal No. 4 Well, Adak 11-1A Well, C C Co. OTHF 7-11 Well, Township 21 South, Range 23 East, Grand County, Utah.	(1 ¹⁰)	15.025
CI77-769 A 8-30-77	Sun Oil Co.	United Gas Pipe Line Co., Bethany Field, Harrison and Panola Coun- ties, Tex.	(1)	14.65
CI77-772 A 9-2-77	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex 75221	El Paso Natural Gas Co., TEXU "F" No. 1 Well, block 12 (Yates) Field, Andrews County, Tex., limited to the interval from the surface of the earth to the base of the Yates Formation.	(1)	14.65
CI77-777 A 8-31-77	Mobil Oil Corp., Three Greenway Plaza East, Suite 800, Houston, Tex. 77046.	Transcontinental Gas Pipe Line Corp., Certain acreage in the South Pass Area, blocks 57, 57 and 77, 58 and 78, and 77, Federal offshore, Louisiana.	(1)	14.65 14.73
CI77-778 A 8-31-77	Ashland Oil, Inc., P.O. Box 1503, Houston, Tex 77001	Kansas-Nebraska Natural Gas Co., Inc., Long "A" No. 1 well in section 21-T13N-R54W, Kimball County, Nebr.	(1)	15.025
CI77-779 (CI64-34) B 9-1-77	Sun Oil Co.	Arkansas Louisiana Gas Co., Thomas Field, Custer County, Okla.	(11)	-----
CI77-780 A 9-1-77	Atlantic Richfield Co. (successor to Marathon Oil Co.), P.O. Box 2819, Dallas, Tex. 75221.	Colorado Interstate Gas Co., certain acreage from the Otto C. Barby Gas Unit, Beaver County, Okla.	(1)	14.65
CI77-781 A 9-2-77	Continental Oil Co., P.O. Box 2197, Houston, Tex. 77001.	El Paso Natural Gas Co., Lamar Lunt No. 2 Lea County, N. Mex.	(1)	14.65

- ¹ Applicant is willing to accept the applicable national rate pursuant to Opinion No. 770, as amended.
- ² Applicant filed to add one (1) well to basic contract. Commitment is limited to production from the Strawn Formation.
- ³ Applicant respectfully requests that the Commission issue a certificate of public convenience and necessity authorizing Gulf to continue the sale of gas attributable to the interest acquired by Gulf in acreage which was heretofore authorized to Pennzoil in Docket No. CI74-264, and that temporary authorization be granted for Gulf to continue the sale of such gas pending final disposition of this application.
- ⁴ Applicant respectfully requests that the Commission issue a certificate of public convenience and necessity authorizing Gulf to continue the sale of gas attributable to the interest acquired by Gulf in acreage which was heretofore authorized to Excelsior in Docket No. CI72-475, and that temporary authorization be granted for Gulf to continue the sale of such gas pending final disposition of this application.
- ⁵ Applicant respectfully requests that the Commission issue a certificate of public convenience and necessity authorizing Gulf to continue the sale of gas attributable to the interest acquired by Gulf in acreage which was heretofore authorized to Anadarko in Docket No. CI72-651, and that temporary authorization be granted for Gulf to continue the sale of such gas pending final disposition of this application.
- ⁶ Applicant filed to change Block 60 OCS-G-2870 Well No. 2 to Well No. A-2.
- ⁷ Applicant filed to change Block 34 OCS-G-3120 Well No. 2 to Well No. 1.
- ⁸ Applicant filed to include from the date of initial delivery until September 30, 1977.
- ⁹ Applicant filed to include from Oct. 1, 1977 through Dec. 31, 1977; and thereafter increasing by 1¢ per quarter.
- ¹⁰ Applicant filed to include Adak 11-1A Well is deleted from the coverage of the Jan. 20, 1976 gas purchase contract and the C.C.O. OTHF 7-11 Well is added to the coverage of such gas purchase contract.
- ¹¹ The Crane-Starr No. 1 plugged and abandoned on Apr. 22, 1974, and the Caldwell Lease has been assigned to Good Equipment Company, effective July 1, 1977. Other leases were nonproductive and have been released unto the lease owners.
- ¹² Depleted and leases have expired.

[FR Doc. 77-33032 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. RI77-86]

ANDERSON OIL CO.

Order Granting Petition for Special Relief and Permitting Intervention

NOVEMBER 10, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by section 402(a) (1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR -----, provided that this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above-mentioned authorities.

On May 20, 1977, Anderson Oil Co. (Anderson) and Echo Oil Corp. (Echo) filed a petition for special relief pursuant to section 1.7(b) of the Commission's rules of practice and procedure, seeking a waiver of section 2.56a(a) (3) et seq. of the Commission's statements of general policy and interpretations for the sale of natural gas to Colorado Interstate Gas Co. (CIG) from the Bitter

Creek II Unit No. 1 Well, Bitter Creek Area, Sweetwater County, Wyo. This petition meets the requirements of section 2.76 of the Commission's general policy and interpretations and therefore will be considered as filed under that section.

Notice of Anderson and Echo's petition for special relief was issued on May 26, 1977, and was published in the FEDERAL REGISTER. CIG filed a timely petition to intervene.

THE PROPOSAL

Anderson and Echo request a base rate of \$1.69 per Mcf at 14.73 psia plus quarterly escalations of 1 cent per Mcf, Btu adjustment and reimbursement of all production, gathering, delivery, sales, severance, or other excise tax beginning with initial delivery. Petitioners state that this costly exploratory well yielded a small amount of gas reserves, and further state that it would be economically infeasible to sell the gas at the present Opinion No. 700-A rate.¹ Petitioners plan an investment of \$51,000 for a compressor package and production unit to obtain gas from the Bitter Creek II Unit No. 1 Well which is currently shut-in.

BACKGROUND

Anderson is an independent small producer which was issued a small producer certificate in Docket No. CS72-190 on January 12, 1972. Echo is an independent small producer which was issued a small producer certificate in Docket No. CS76-1135 on September 17, 1976. Anderson and Echo jointly own a 50 percent working interest (Anderson, 37.5 percent and Echo, 12.5 percent) in the Bitter Creek II Federal Exploratory Unit. Amoco Production Co. holds the remaining 50 percent working interest but it is not included in this petition.

An executed contract signed by Anderson, Echo and CIG with the agreed to rate of \$1.69 per Mcf at 14.73 psia plus quarterly escalations of 1 cent per Mcf was included with this petition.

The petitioner states that although the base rate of \$1.69 per Mcf will not per-

¹ The Bitter Creek II Unit No. 1 Well, a wildcat, was spudded November 13, 1973, and completed October 29, 1976 but sales have not commenced.

mit him to fully recover his cost incurred in the drilling and completion of the Bitter Creek II Unit No. 1 Well, the purchaser, CIG, was unable to offer a higher base rate. Anderson considered the \$1.69 per Mcf rate to be fair and reasonable to both parties at the time it was executed. Therefore, Anderson agreed to abide by the contract terms for gas sales from this well.

A field audit of the lease, drilling, and completion costs associated with the Bitter Creek II Unit No. 1 Well and submitted with the petition was made by Staff in Anderson's office in Denver, Colo., on June 27 and 28, 1977.

DETAIL

The Bitter Creek II Unit No. I Well was drilled to a total depth of 21,322 feet at which point extensive drilling and completion problems in the low zones made completion in these zones economically impractical. As a result, the well was completed in the Upper Mesa Verde formation from 10,295 feet to 11,264 feet. Because of the complexities and numerous problems encountered during the drilling and completion of this well, the gross working interest cost of the well exceeded \$7,000,000. The well is currently shut in.

In determining net book investment for successful drilling and completion costs, Staff allocated costs proportionately on the basis of footage drilled. The portion of the hole to a depth of 11,370 is considered productive and costs allocated to that depth have been included in cost calculations. The segment of the hole below 11,370' is considered to be dry hole since it contains, for practical considerations, irretrievable junk which precludes economically successful completions in gas zones below this depth. Staff did not include dry hole costs in calculations since only successful well costs directly associated with the reserves are included in the type of special relief considered in this docket.

In order to put the well on stream, compression facilities and associated production facilities including a tank battery, separator, scrubber, heater, etc., will be installed at a total cost of \$102,000 for the gross working interest or \$51,000 for the 50 percent working interest represented by Anderson.

Annual production expenses were based on data submitted by Anderson in his petition and were estimated at \$30,000 (gross working interest) for the first year. This figure was escalated 5 percent per year from the second to the sixth year with the sixth year's annual expenses being used for each year until abandonment. The total gross working interest production expenses were estimated to be \$510,361 or \$255,181 for the 50 percent working interest covered by this petition.

Anderson did not request an allowance for possible income tax liability. Therefore cost support of the rate proposed has been established without consideration of any possible tax liability.

Based on an analysis of data submitted, Staff concurs with Anderson and

Echo that 100 percent gross interest future reserves will be 2,124,000 Mcf at 14.73 psia with no liquids over a fourteen year period. Staff concludes that the requested special relief is warranted.

After reviewing the costs to be incurred and the reserves to be recovered, the Commission determines that Anderson and Echo's joint petition for special relief is warranted and that it is in the public interest to grant this petition.

The Commission finds: The petition for special relief filed by Anderson and Echo meets the criteria set forth in section 2.76 of the Commission's general policy and interpretations.

The Commission orders: (A) The petition for special relief of Anderson and Echo is hereby granted.

(B) Anderson and Echo are authorized to collect \$1.69 per Mcf at 14.73 psia, plus quarterly escalations of 1 cent per Mcf for each successive three month period following the date of issuance of this order, for the gas from the Bitter Creek II Unit No. 1 Well, Bitter Creek Area, Sweetwater County, Wyo., effective upon either the date of issuance of this order or the date the proposed work is completed, whichever is later.

(C) This authorization is subject to the following conditions: (1) Anderson and Echo must file the appropriate rate change filings in accordance with section 154.94 of the Commission's regulations under the Natural Gas Act (18 CFR § 154.94), (2) within thirty days of the effective date provided in ordering paragraph (B) above for the rate authorized herein, Anderson and Echo must file a statement signed by CIG in Docket No. RI77-86 setting forth the date on which the proposed work was completed to its satisfaction, (3) for each of the 1 cent per Mcf quarterly escalations permitted under ordering paragraph (B) above, Anderson and Echo must file a notice of rate change pursuant to the requirements of section 154.94 of the Commission's regulations and section 4(d) of the Natural Gas Act.

(D) The contract signed by Anderson, Echo, and CIG and included with the petition for special relief in Docket No. RI77-86 is accepted by the Commission for filing in accordance with § 154.92 of the Commission's Regulations; the granting of this acceptance does not constitute approval of the provisions contained in such contract.

(E) CIG is permitted to intervene in the above-entitled proceeding, subject to the rules and regulations of the Commission; *Provided, however*, That its participation shall be limited to matters affecting asserted rights and interests specifically set forth in its petition for leave to intervene; and *Provided, further*, That the admission of CIG in the manner provided shall not be construed as recognition by the Commission that CIG might be aggrieved because of any order or orders entered in this proceed-

ing, and that CIG agrees to accept the record as it now stands.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33256 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. RI77-115]

ART MACHIN & ASSOCIATES, INC. Notice of Amended Petition for Special Relief

NOVEMBER 11, 1977.

Take notice that on October 31, 1977, Art Machin & Associates, Inc. (Petitioner), P.O. Box 1069, Longview, Tex. 75601, filed an amended petition for special relief in the above-captioned docket which amends its previous petition filed July 18, 1977.¹ Petitioner now requests a price of 69.18 cents per Mcf² for gas sold to United Gas Pipe Line Co. from the G. A. Kelly Well No. 1, Willow Springs Field, Gregg County, Tex.

Any person desiring to be heard or to make any protest with reference to said petition should on or before November 30, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party 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.77-33262 Filed 11-16-77;8:45 am]

[6740-02]

[Docket Nos. E-8884 and ER76-495]

CAROLINA POWER & LIGHT CO. Order Accepting Proposed Settlement Agreement

NOVEMBER 10, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Public Law 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory

¹ Notice issued September 8, 1977, published in the FEDERAL REGISTER.

² The previous petition was for 73.69 cents per Mcf.

Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977 by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR ----, provided that this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On July 22, 1977, Carolina Power & Light Co. (CP&L) submitted an executed Settlement Agreement to the Commission¹ for consideration and approval. The Commission finds that the Settlement Agreement is in the public interest and accepts and approves it as herein-after ordered and conditioned.

On July 1, 1974, CP&L filed in Docket No. E-8884 proposed changes in rates and charges to its 24 municipal, two private utilities, and 18 electric membership cooperative wholesale customers with a requested effective date of January 1, 1975. The rate changes were embodied in Resale Service Schedule No. RS-10 and Fossil Fuel Adjustment Clause Rider No. 1. The filing also sought to make effective CP&L's proposed FPC Electric Tariff, Original Volume No. 1 which establishes a uniformity of terms and conditions and provides for a tariff form of filing.

By an order dated August 26, 1974, this Commission suspended the proposed increase for one day until January 2, 1975, permitted it to become effective on that day subject to refund and set the matter down for hearing. In the order of August 26, the Commission also divided the proceeding into two phases. Phase I would determine the justness and reasonableness of the rates proposed in CP&L's tariff, while Phase II would be concerned with the alleged anticompetitive provisions of the tariff. With respect to allegations made by the Customer Intervenor that the proposed CP&L rates would result in a "price

¹ The "Commission" when used in the context of an action taken prior to Oct. 1, 1977, refers to the FPC; when used otherwise, the reference is to the FERC.

squeeze" inhibiting wholesale customer competition with CP&L for industrial markets, the Commission stated that it did not have the authority under the Federal Power Act to set wholesale rates predicated on retail rates over which it had no jurisdiction.

Hearings on Phase I were held during 1975 and 1976. Testimony was submitted by CP&L; the Commission Staff; by Electricities of North Carolina comprising CP&L's municipal wholesale customers in North Carolina together with the Cities of Camden and Bennettsville, South Carolina (Electricities); and by North Carolina Electric Membership Corporation and Four County Electric Membership Corporation (EMC's). The Attorney General of North Carolina and the Greater Asheville Electric Conservation Association intervened, but neither party participated in the hearing or briefing of the case. Briefs were filed with the Presiding Administrative Law Judge.

After the United States Supreme Court held that a "price squeeze" issue was within the Commission's sphere of jurisdiction in the determination of a wholesale electric rate case (*F.P.C. v. Conway Corporation*, 426 U.S. 271 (1976)), the Commission reopened Phase I of this proceeding for the purpose of receiving certain "price squeeze" evidence. Procedural dates were then set for reopened Phase I and tentative dates were established for the continuation of Phase II.

On May 6, 1977, the Commission ordered the issue of the proper Allowance For Funds Used During Construction (AFUDC) rate for accounting and rate purposes in Phase I to be severed and consolidated for hearing and determination with the trial of that issue in the Carolina Power & Light Company proceeding, Docket No. ER76-495.

As a result of various settlement conferences attended by CP&L, Electricities, and the EMC's, a proposed Settlement Agreement was reached concerning the rates which went into effect on January 2, 1975, after the one-day suspension and ended April 30, 1976. On May 1, 1976, the rates in effect in Docket No. E-8884 were superseded by rates contained in Rate Schedule RS-11 filed by CP&L in Docket No. ER76-495.

Public notice of the filing of this proposed Agreement was issued by the Commission's Secretary on August 24, 1977. All comments were due on or before September 30, 1977. On September 28, 1977, Staff filed comments indicating that the rates proposed in the Agreement were acceptable. No other responses were received pursuant to the Notice.

Under the terms of the Settlement Agreement, CP&L shall within 30-days after the date upon which this Commission's order approving the Settlement becomes final and non-appealable, refund \$4,667,493 to its municipal wholesale customers and \$4,017,129 to its electric cooperative customers, plus interest computed at the rate of 9 percent per annum for the period from the date of each monthly bill payment until the

date of refund. Refunds shall be made on a pro-rata percentage basis. CP&L will retain all other amounts that it collected subject to refund from these customers in Docket No. E-8884. Electricities and the EMC's agree to cease all litigation in both Phase I and Phase II of Docket No. E-8884 including any litigation in the reopened proceedings with respect to the AFUDC (Allowance For Funds Used During Construction) issue raised in Docket No. E-8884.²

The Settlement Agreement also includes settlement in Docket No. E-8884 of the issues of inclusion in CP&L's cost of service of an amount relating to elimination of deferred fuel accounting. CP&L further agrees to cease litigation in Phase I of the Docket No. ER76-495 proceeding of the issue concerning whether CP&L should be permitted a claimed fuel clause surcharge.

Staff's analysis indicates that the proposed Settlement results in an earned rate of return which does not exceed Staff's recommendation of 9.13 percent overall return including a 12.75 percent return on equity.

Upon review of the entire record in this proceeding, the Commission finds that the proposed Settlement Agreement represents a reasonable resolution of all of the issues in the Docket No. E-8884 proceeding including the AFUDC issue severed from Docket No. E-8884 and placed in Docket No. ER76-495 for hearing and determination and the litigation of the claimed fuel clause surcharges issue involved in Phase I of the Docket No. ER76-495 proceeding. Accordingly, the proposed Settlement Agreement should be incorporated herein by reference and should be approved and adopted. CP&L's Motion for Approval of the Settlement Agreement should also be granted.

The Commissioner orders: (A) The Settlement Agreement filed by the Carolina Power & Light Co. on July 22, 1977, is incorporated herein by reference and is approved and adopted as hereinafter ordered.

(B) The Motion To Approve the Settlement Agreement identified in (A) above is granted.

(C) In accordance with the terms of the Settlement Agreement, the Carolina Power & Light Co. shall refund within 30-days after this order becomes final the sum of \$4,667,493 to its municipal wholesale customers, and also the sum of \$4,017,129 to its electric cooperative customers plus interest at 9 percent per annum, all as provided in the Settlement Agreement.

(D) All issues raised in Docket No. E-8884, both in Phase I and Phase II together with the issue of Allowance For Funds Used During Construction (AFUDC) in Docket No. E-8884 which was severed from that docket and consolidated in Docket No. ER76-495 for

² This settlement would also dispose of the Conway issues previously set for hearing in Phase I by our order of July 12, 1976.

determination and the litigation of the claimed fuel clause surcharge issue involved in Phase I of the Docket No. ER76-495 proceeding are settled by the terms of the Settlement Agreement and our approval and adoption thereof.

(E) The Carolina Power & Light Co. shall file a compliance report within 15 days after refunds have been made. Such report shall show monthly billing determinants and revenues under prior revenues and settlement revenues. The report shall also show the monthly settlement rate increase, the rate refund, and the monthly interest computation together with a summary of such information for the total refund period. A copy of each report shall also be furnished to each State Commission within whose jurisdiction the wholesale customers distribute and sell electric energy at retail.

(F) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by the Commission, and is without prejudice to any claim or contentions which may be made by the Commission, its Staff or any party or person affected by this order in any proceeding now pending or hereafter instituted by or against the Carolina Power & Light Co. or any person or party.

(G) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33257 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. CP78-59]

COLUMBIA GAS TRANSMISSION CORP. Notice of Application

NOVEMBER 11, 1977.

Take notice that on November 3, 1977, Columbia Gas Transmission Corp. (Applicant), 1700 MacCorkle Avenue SE., Charleston, W.Va. 25314, filed in Docket No. CP78-59 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations (18 CFR 2.79) for a certificate of public convenience and necessity authorizing the transportation of up to 400 Mcf of natural gas per day for 2 years Fruehauf Corp. (Fruehauf) for use in its Memphis, Tenn., facility, all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that FrueKel, Inc. (FrueKel), the energy subsidiary of Fruehauf, and Appalachian Exploration, Inc. (Appalachian) entered into an agreement to drill and operate natural gas wells and for the purchase of additional quantities of natural gas, all within Tuscarawas and Guernsey Counties, Ohio, and that the gas proposed herein to be transported would be produced from wells wholly-owned by FrueKel. The application further states that FrueKel plans to construct a gathering line of approximately 25,000 feet in length at

an approximate total cost of \$100,000 to deliver gas from its wells to Applicant for the transportation herein and for the transportation in Docket Nos. CP76-277, CP77-157, and CP77-258.

Applicant proposes to receive up to 400 Mcf of natural gas per day for the account of Fruehauf into its Line 0-1460 in Tuscarawas County, Ohio, and Line FO-1618 in Guernsey County, Ohio, and would deliver such volumes to Texas Gas Transmission Corp. (Texas Gas) by reducing Applicant's scheduled receipts from Texas Gas at an existing point of delivery in Warren County, Ohio. It is stated that Texas Gas would deliver such volumes of gas delivered to it by Applicant to Memphis Light, Gas & Water Division (Memphis L.G.&W.), Fruehauf's natural gas supplier in Memphis, Tenn., for ultimate delivery to Fruehauf's Memphis plant through existing distribution facilities.

The application states that Fruehauf is engaged primarily in the manufacture and sale of transportation equipment and the manufacture and sale of parts and components for such equipment, and that Fruehauf's manufacturing operations at Memphis have relied on the use of natural gas as the principal energy source and for certain processes and manufacturing purposes. Present technology does not permit the use of alternate fuels in the clean burning fuel requirements of Fruehauf's Memphis plant, it is said. Applicant states that the subject gas would be used for priority 2 uses, and that the gas proposed to be transported is subject to diversion to Applicant on a temporary basis in emergency periods when, in Applicant's sole judgment, such gas is required for the protection of Priority 1 requirements on its system. Gas so diverted would be paid back as soon as practicable after the emergency period. It is indicated that the gas proposed to be transported is not available to the interstate market inasmuch as it was developed solely for Fruehauf's use, and that Fruehauf has no intention of selling the gas so developed to any other party in interstate or intrastate commerce.

Applicant states that its transportation charge for all volumes delivered into its Line 0-1460 would be its average system-wide unit storage and transmission costs exclusive of company-use and unaccounted-for gas, which is currently 20.56 cents per Mcf, and that for all volumes delivered into its Line FO-1618, the transportation charge would be Applicant's average system-wide unit gathering, storage and transmission costs exclusive of company-use and unaccounted for gas, which is currently 23.06 cents per Mcf. Applicant further states that it would retain for company-use and unaccounted-for gas a percentage of the total volumes received for the account Fruehauf, which percentage is currently 4.0 percent.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 25, 1977, file with the Federal En-

ergy Regulatory 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.

Take further notice, that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-33263 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. ES78-8]

EL PASO ELECTRIC CO.

Notice of Application

NOVEMBER 10, 1977.

Take notice that El Paso Electric Co. (Applicant) on November 4, 1977, tendered for filing an application for authorization of the assumption of liabilities under Section 204(a) of the Federal Power Act.

Applicant proposes to construct a new peaking combustion turbine power plant (Copper Station) for commencement of service in 1980. Applicant indicates that construction of Copper Station is not scheduled to commence until 1979. Nevertheless, the Applicant believes a favorable price for the turbine would be obtainable from Westinghouse, if it is purchased at this time. Applicant states that the total purchase price of the turbine would be approximately \$6,600,000.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 Pro-

cedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 30, 1977. 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. 77-33242 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. ER77-571]

EMPIRE DISTRICT ELECTRIC CO.

Notice of Filing

NOVEMBER 10, 1977.

Take notice that the Empire District Electric Co. (EDE), on October 27, 1977, tendered for filing a proposed Service Schedule K, Peaking Power Service, as a supplement to an Agreement For Interchange Of Power And Interconnected Operation between EDE and Kansas Gas & Electric Co. (KGE).

EDE indicates that the proposed Service Schedule K provides for the sale of 25 mw of peaking capacity and related energy from Empire to KGE for the period beginning July 1, 1977, and ending May 31, 1980. EDE further indicates that the capacity charge is cost plus \$0.25 per kw per month and related energy will be furnished at cost plus 10 percent with an allowance for incurred losses. EDE states that the schedule further provides that KGE will purchase no more than 30,000 Mwh during any contract year, 15,000 Mwh during any four consecutive months, and 5,000 Mwh in any one month, and that no less than 1,500 Mwh may be purchased in any one month.

According to EDE copies of the filing were served upon the EDE's jurisdictional customers.

An effective date of July 1, 1977 is proposed and waiver of the Commission's notice requirements is therefore requested.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 November 18, 1977. 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. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-33258 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. ER78-45]

FLORIDA POWER & LIGHT CO.

Notice of Filing

NOVEMBER 10, 1977.

Take notice that on November 4, 1977, Florida Power & Light Co. (F.P. & L.) tendered for filing an Exhibit A which provides for a new delivery point to Clay Electric Cooperative, Inc.

F.P. & L. indicates that the proposed effective date is the date on which service commences at the new delivery point, estimated to be November 16, 1977.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 November 21, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestant 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. 77-33243 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. RP76-97]

GULF ENERGY & DEVELOPMENT CORP.

Order Approving Pipeline Rate Settlement

NOVEMBER 10, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by Section 402 (a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977 by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR ----, *Provided*, That this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On July 11, 1977, the Presiding Administrative Law Judge certified to the Commission¹ for consideration and disposition a proposed Stipulation and Agreement of Settlement which, if approved, would resolve all issues in this proceeding except that relating to the gas plant acquisition adjustment,² which is discussed infra. For the reasons set forth below, the Commission finds the proposed settlement agreement is reasonable and should be approved.

This proceeding originated on April 30, 1976 when Gulf Energy & Development Corporation (Gulf Energy) tendered for filing an increase in its rate for the gathering service it renders to Tennessee Gas Pipeline Company (Tennessee) under Gulf Energy's FPC Gas Rate Schedule No. 1. Through its proposed filing, Gulf Energy sought to increase its jurisdictional revenues by approximately \$696,958 annually based on actual costs for the 12 months ending December 31, 1975 as adjusted for known and measurable changes occurring during the succeeding nine months. Gulf Energy's proposed rate increase was suspended for five months and set for hearing by Commission order issued May 27, 1976. In subsequently responding to a petition of Gulf Energy for rehearing, the Commission shortened the suspension period to allow the increased rates to be made effective on July 21, 1976, subject to refund. The increased rates have been in effect since that date.

Settlement discussions conducted during the course of this proceeding between Gulf Energy and the Commission Staff resulted in the instant settlement. Following the conclusion of settlement discussions, the proposed settlement agreement was submitted to the Presiding Judge on July 6, 1977, with a request for certification thereof to the Commission. Public notice of the proposed settlement was issued on July 19, 1977. Comments in support of the proposed settlement were filed by Gulf Energy and the Commission Staff. Tennessee, the only intervenor, did not file comments. No objections or adverse comments have been received.

The settlement proposal would reduce the filed rate of 23.63 cents per Mcf to 16.50 cents per Mcf for the period July 21, through December 31, 1976. Effective January 1, 1977, the rate of 16.50 cents per Mcf would be increased to 18.89 cents per Mcf to offset reduced sales. The settlement rates are predicated upon a total

jurisdictional cost of service of \$907,500 and equate to revenue increases of \$332,750 and \$405,586 for the calendar years 1976 and 1977, respectively, assuming sales during those years of 5,500,000 Mcf and 4,803,000 Mcf. The settlement cost of service includes an overall rate of return on Gulf Energy's net investment rate base of 11.14 percent, including an allowance for common equity of 13.50 percent. (See Appendix "A" below) The settlement provides for the continued use of the straight-line method of depreciation at a rate of 4.5 percent applicable to all gas plant except general plant, rather than the unit-of-production method of depreciation proposed by Gulf Energy's filing. The Commission finds the settlement cost of service and resulting rates to be reasonable and they are accordingly approved.

The settlement further provides that, in the event that Gulf Energy gathers in excess of 4,803,000 Mcf during calendar year 1977, it will refund an additional amount equal to the product of 18.89 cents times the volume gathered in excess of 4,803,000 Mcf.

Finally, the settlement provides that the Commission's disposition of the gas plant acquisition adjustment issue in Docket No. RP74-86 shall also govern the rate treatment of that issue in this proceeding. This issue arises from the acquisition by Gulf Energy of Natural Gas Gathering Company Incorporated, and concerns the proper valuation of the acquired facilities. If the issue is resolved in favor of Gulf Energy, it would make no further refunds under the settlement. On the other hand, if the issue is decided adversely to Gulf Energy, the settlement requires Gulf Energy to reduce the rates set by Article III of the settlement by an additional 1.2 cents per Mcf, and to refund 1.2 cents per Mcf, with interest, for all volumes sold during the period July 21, 1976 to the effective date of the rate reflecting the 1.2 cents per Mcf reduction.

Based on a review of the record in this proceeding including the settlement agreement itself and the pleadings, evidence, and comments submitted in support thereof, the Commission finds that the proposed settlement agreement represents a reasonable resolution of the issues in this proceeding in the public interest, and that the agreement should accordingly be approved and adopted, as hereinafter ordered.

The Commission orders. (A) The Stipulation and Agreement of Settlement certified on July 11, 1977, is incorporated herein by reference and is approved and adopted.

(B) Within 20 days from the date of this order, Gulf Energy shall file a revised gas rate schedule in accordance with the terms of the settlement agreement.

(C) Within 20 days from the date of this order, Gulf Energy shall refund to Tennessee all amounts collected in excess of the settlement rates, together with interest at the rate of 9 percent per annum. Gulf Energy shall within 10 days

¹ The "Commission" when used in the context of an action taken prior to October 1, 1977, refers to the FPC; when used otherwise, the reference is to the FERC.

² The gas plant acquisition adjustment issue is pending in Docket No. RP74-86.

thereafter submit a report of the refunds and interest to the Commission.

(D) On or before February 15, 1978, Gulf Energy shall refund to Tennessee any additional refunds which may be due under Article IV of the settlement agreement.

(E) Upon compliance by Gulf Energy with the terms of this order, this proceeding shall be terminated.

(F) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by the Commission and is without prejudice to any claims or contentions which may be made by the Commission, its staff or any other party or person affected by this order in any proceeding now pending or hereinafter instituted by or against Gulf Energy by any other person or party.

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission. Commissioner Holden voted present.

KENNETH F. PLUMB,
Secretary.

APPENDIX A.—Gulf Energy & Development Corporation

[Docket No. RP76-97 settlement cost of service]

Line No.	Item	Settlement (dollars)
1	Production and gathering expenses.....	197,866
2	Administrative and general expenses.....	302,308
3	Total operation and maintenance expenses.....	500,174
4	Depreciation and amortization expense.....	178,490
5	Taxes other than income taxes.....	33,496
6	Revenue credits, other.....	(46,733)
7	Total costs.....	665,427
8	Return allowance.....	181,154
9	Federal income taxes.....	60,913
10	Total cost of service.....	907,500

Settlement.—Capitalization and rate of return

Capital	Amount	Percent of—		
		Ratio	Cost	Weighted cost
Long-term debt.....	\$11,072,500	67.33	10.00	6.73
Common equity.....	5,373,285	32.67	13.50	4.41
Total.....	16,445,785			11.14

[FR Doc.77-38238 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. ES78-7]

IOWA SOUTHERN UTILITIES CO.

Notice of Application

NOVEMBER 10, 1977.

Take notice that on October 31, 1977, Iowa Southern Utilities Co. (Applicant) filed an application for an order pursuant to section 204 of the Federal Power Act authorizing the issuance of \$15,000,-

000 principal amount of First Mortgage Bonds.

Applicant indicates that it is incorporated under the laws of the State of Delaware with its principal business office at Centerville, Iowa, and is engaged in the electric utility business in 24 counties in Iowa.

Applicant indicates that the Bonds will be dated January 1, 1978, and mature January 1, 2008, and will bear interest at a rate to be determined by competitive bidding pursuant to the Commission's Regulations. It is anticipated by the Applicant that bids will be opened January 10, 1978.

The Applicant states that the proceeds from the issuance of the Bonds will be used to repay bank loans and short-term notes issued in the form of commercial paper and to finance in part the Applicant's construction program for 1978, the principal part of which is for the Applicant's 48 percent ownership share in a 675,000 kilowatt turbine generator at the Ottumwa Generating Station near Ottumwa, Iowa.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with section 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 November 30, 1977. 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.77-33244 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. ES78-6]

MONTANA DAKOTA UTILITIES CO.

Notice of Application

NOVEMBER 10, 1977.

Take notice that on October 31, 1977, Montana-Dakota Utilities Co. (Applicant), a corporation organized under the laws of the State of Delaware and qualified to do business in the States of Minnesota, Montana, North Dakota, South Dakota, and Wyoming, with its principal business office at Bismarck, N. Dak., filed an application with the Federal Energy Regulatory Commission, pursuant to section 204, Part II of the Federal Power Act, seeking an order for authority to issue additional shares of Common Stock, par value \$10, in connection with a two-for-one Common Stock split.

The Company proposes to submit to a special meeting of its stockholders a proposal to amend its Certificate of Incorporation (a) to increase the number of authorized shares of Common Stock

to 10,000,000 shares and to reduce the par value of such shares from \$20 per share to \$10 per share; and (b) to change each share of outstanding Common Stock with the par value of \$20 into two shares of Common Stock with the par value of \$10. The Company indicates that it presently has issued an outstanding 2,354,738 shares of Common Stock with the par value of \$20 per share.

The Company indicates that if approved by the Company's stockholders and the appropriate regulatory agencies, on or about January 31, 1978, all holders of Common Stock of record at the close of business on January 18, 1978, will be sent certificates for the additional shares of Common Stock, par value \$10, to which they will become entitled as a result of the proposed two-for-one split.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 30, 1977, file with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8, 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 protestants parties to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing therein must file petitions to intervene. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33245 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP78-56]

NATIONAL FUEL GAS SUPPLY CORP.

Notice of Application

NOVEMBER 10, 1977.

Take notice that on November 1, 1977, National Fuel Gas Supply Corp. (Applicant), 308 Seneca Street, Oil City, Pa. 16301, filed in Docket No. CP78-56 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of tap and valve receipt facilities to enable Applicant to receive certain volumes of natural gas from Columbia Gas Transmission Corp. (Columbia) at a new delivery point near Sugar Grove, Warren County, Pa., all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that Columbia has acquired significant new natural gas supplies in Chautauqua County, N.Y., and that Columbia would make the new gas available to its existing interstate markets, through displacement, by (1) delivery thereof to Applicant (as part of Applicant's total daily entitlement from

Columbia) at the proposed new delivery point near Sugar Grove, Pa., and (2) committant pro tanto reduction of deliveries to Applicant at the existing Ellwood City Columbia-Applicant delivery point.

It is indicated that pursuant to an order issued by the Federal Power Commission on August 29, 1977, in Docket No. CP77-339, Columbia was authorized to construct and operate certain pipeline, measurement and compressor facilities (new Columbia facilities) necessary to enable Columbia to make the new gas supplies available to Applicant at the new Sugar Grove delivery point. Consequently, Applicant proposes to construct and operate facilities at the loop connecting its 8-inch Line R and its 12-inch Line U at the point of divergence thereof, northwest of Sugar Grove in order to establish the Sugar Grove delivery point and thus effectuate the FPC order of August 29, 1977, in Docket No. CP77-339.

Applicant indicates that Columbia would reimburse it for the costs associated with the construction of the new Applicant facilities, which estimated costs would be \$4,058.80.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 28, 1977, file with the Federal Energy Regulatory 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.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33259 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. ER78-44]

NEW ENGLAND POWER CO.

Notice of Filing

NOVEMBER 10, 1977.

Take notice that New England Power Co. (NEP) on November 3, 1977, submitted for filing a Letter Agreement dated January 13, 1977, between NEP and the Town of Hudson, Mass. (Hudson), and four related documents (Collectively the "Documents") providing for power supply arrangements between the parties during the period January 1, 1977, through October 31, 1986.

NEP states that the Documents are the result of extensive negotiations between the parties that arose due to a protracted delay in the interconnection at 115 KV for electrical service to Hudson.

NEP states further that, under the terms of the Documents, during the period January 1, 1977 through April 30, 1977, Hudson will be served at NEP's then effective rate for 115 KV service for Primary Service for Resale and that a one megawatt deduction from the monthly billing Demand will be allowed. Effective May 1, 1977, the date of energization of the 115 KV interconnection, NEP indicates that it will terminate sales of Primary Service for Resale to the Town and will commence sales of system power, unreserved Unit Power under the terms of a Power Contract dated as of May 1, 1977.

NEP has filed, pursuant and in addition to the Documents, all requisite data, and has requested that they become effective in accordance with their terms. In connection with this request, NEP has requested waiver of section 35.3 of the Commission's regulations and in respect thereto has agreed, to the extent required by the Commission, that any revenue collected under the Documents be subject to refund pending the Commission's order in the proceedings.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 November 21, 1977. 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.77-33246 Filed 11-16-77;8:45 am]

[6740-02]

PUBLIC SERVICE CO. OF OKLAHOMA

[Docket Nos. ER77-317, and ER77-513]

Notice of Compliance Filing

NOVEMBER 10, 1977.

Take notice that Public Service Co. of Oklahoma on October 27, 1977, tendered for filing revised RE-5 rate schedules for the above-noted Dockets applicable to the city of Hominy, Okla. (ER77-317) and to the city of Copany, Okla. (ER77-513), in compliance with the Commission's letter of September 29, 1977.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory 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 November 23, 1977. 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33247 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP76-428]

SEA ROBIN PIPELINE CO.

Notice of Pipeline Application To Amend Certificate of Public Convenience and Necessity

NOVEMBER 10, 1977.

Take notice that on October 27, 1977, Sea Robin Pipeline Co. (Sea Robin), pursuant to section 7(c) of the Natural Gas Act, filed an application to amend the Certificate of Public Convenience and Necessity in Docket No. CP76-428, seeking authorization to increase the Contract Demand level presently applicable to Northern Natural Gas Co. (Northern) under Rate Schedule X-13 to 20,300 Mcf per day. The application requests authorization to increase the quantity of natural gas to be transported for Northern by Sea Robin from 19,300 Mcf per day to 20,300 Mcf per day, and to designate Block 127, South Marsh Island Area as an additional transportation point of delivery from Northern to Sea Robin, all as more fully set forth in the application, as amended, which is on file with the Federal Energy Regulatory Commission (Commission) in this docket and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application, on or before November 30, 1977, should file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission

will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-33245 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. RP75-102]

PANHANDLE EASTERN PIPE LINE CO.
Order Granting Rehearing and Amending
Prior Order

NOVEMBER 10, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Public Law 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977 by the Secretary and the

FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR -----, provided that this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On August 1, 1977, Panhandle Eastern Pipe Line Co. (Panhandle) filed an application for rehearing of the Commission's order issued in the above-captioned proceeding on June 30, 1977. The June 30th order disallowed a proposed advance payment tracking rate increase of .1 cent per Mcf which was requested by Panhandle to be made effective on August 1, 1976. On August 26, 1977, the Commission granted rehearing solely for the purpose of further consideration. For the reason set forth below the Commission, upon further consideration of the arguments raised by Panhandle, finds that Panhandle's application for rehearing should be granted.

The present controversy over Panhandle's proposed advance payment tracking increase arose in connection with the settlement of Panhandle's general rate proceeding in this docket. On April 25, 1977, the Commission issued an order which, insofar as it is material to the advance payments issue, approved Panhandle's proposed rate settlement agreement. The order directed Panhandle to file revised settlement rates to be effective as of December 1, 1975, and to refund to its customers all amounts collected in excess of the settlement rates.

On May 9, 1977, as modified on May 31, 1977, Panhandle filed proposed settlement rates purportedly in compliance with the Commission's settlement order. These rates formed the basis for refunds to be made by Panhandle pursuant to the settlement. In its calculation of the settlement rates, Panhandle included a .1 cent per Mcf advance payment increase as if it had become effective on August 1, 1976. On June 30, 1977, the Commission issued an order which, among other things, rejected the claimed advance payment increase and required Panhandle to file adjusted settlement rates excluding the advance payment charge for the period August 1, 1976 through April 25, 1977, the date on which the settlement was approved. The Commission's action was based on its finding that Panhandle was without advance payment tracking authority until its settlement was approved on April 25, 1977. It is this finding which is appealed by Panhandle in its application for rehearing.

Panhandle argues that it is authorized to file for and receive the subject advance payment increase pursuant to the terms of its settlement. Panhandle makes specific reference to Article IV of the agreement which provides that Panhandle may increase its rates to reflect additional advance pay-

ments " * * * while the rates provided for in this Agreement are in effect * * * "

There is nothing ambiguous about the meaning of the quoted provision. The settlement rates are in effect from and after December 1, 1975, until superseded by new rates filed by Panhandle pursuant to section 4 of the Natural Gas Act. More specifically the rates are effective during the entire period August 1, 1976, through April 25, 1977. It follows that Panhandle's August 1, 1976, advance payment tracker was authorized under the express terms of the settlement agreement approved by the Commission.

In addition to the terms and provisions of the settlement agreement itself, other facts and circumstances are present which lend support to Panhandle's claim. First the advance payments at issue are in addition to the total amount of advance payments of \$59,144,787 included in the settlement cost of service in Docket No. RP75-102 and therefore are not provided for in the settlement rates. Second, upon further review of the claimed .1 cent per Mcf tracker, and in light of additional information submitted by Panhandle with respect thereto, the Commission finds that the proposed increase is reasonable and proper in all respects except for the question of Panhandle's tracking authority. Third, the record of the proceeding in Docket No. RP75-102 shows that Panhandle's settlement in RP75-102 was certified to the Commission for its consideration and disposition by the Presiding Judge on June 30, 1976. The Commission's final settlement order was not issued until April 25, 1977. Even if it is assumed, *arguendo*, that Panhandle was without tracking authority during the period prior to approval of its settlement, nevertheless, such assumed lack of authority results primarily from the lapse of time between certification and approval of the settlement rather than from any action by Panhandle for which it should be held responsible.

For the reasons set forth above, the Commission finds that Panhandle's application for rehearing should be granted. The Commission shall revoke that part of the order of June 30, 1977, rejecting Panhandle's claimed .1 cent per Mcf advance payment tracking increase. In view of the Commission's finding in this order that Panhandle's advance payment tracker is not only authorized under the terms of its settlement, but is also properly calculated, the hearing prescribed by the order of June 30, 1977, is no longer necessary and shall be terminated.

The Commission's decision in this order is based solely upon the facts of the present case and should not be construed as a precedent applicable to other proceedings.

The Commission orders:

(A) Panhandle's application for rehearing is granted.

(B) The order issued in this docket on June 30, 1977, is amended by revoking ordering paragraphs (F) and (G) thereof.

¹ The "Commission" when used in the context of an action taken prior to Oct. 1, 1977, refers to the FPC; when used otherwise, the reference is to the FERC.

(C) Ordering paragraph (C) of the order of June 30, 1977, is vacated, and Panhandle's First Substitute Nineteenth Revised Sheet No. 3-A is approved and permitted to become effective on April 26, 1977.

(D) The hearing prescribed by ordering paragraph (B) of the order of June 30, 1977, is terminated.

(E) Panhandle shall proceed to make refunds to its jurisdictional customers in accordance with its filing of May 31, 1977, and shall file a report of such refunds and interest with the Commission within 30 days of the date of this order.

(F) Upon compliance by Panhandle with paragraph (E) above, this proceeding shall be terminated.

(G) The Secretary shall cause prompt publication of this order in the *FEDERAL REGISTER*.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-33260 Filed 11-16-77; 8:45]

[6740-02]

[Docket No. G-4715]

SOUTHERN NATURAL GAS CO. AND TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO, INC.

Notice of Pipeline Application To Amend

NOVEMBER 9, 1977.

Take notice that on November 1, 1977, Southern Natural Gas Co. (Southern), P.O. Box 2563, Birmingham, Ala. 35202, and Tennessee Gas Pipeline Co., a Division of Tenneco, Inc. (Tennessee), P.O. Box 2511, Houston, Tex. 77001, filed in Docket No. G-4715 an application to amend the order issued in said docket on April 6, 1977, by requesting temporary and permanent authorization to add an additional point of delivery from Southern to Tennessee for the exchange of gas.

Southern and Tennessee state that they have entered into an agreement dated August 26, 1977, amending their Exchange Agreement, dated November 5, 1976, by adding a new point of delivery where Southern may deliver gas to Tennessee for exchange. Southern and Tennessee state further that the authorizations sought will enable new supplies of natural gas to be delivered into Southern's system during the upcoming winter heating season and will not adversely affect Tennessee's ability to serve its existing customers.

Any person desiring to be heard or to make any protest with reference to said application, on or before November 23, 1977, should file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants

parties to the proceeding. Any person wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-33240 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. RI77-116]

SUN OIL CO.

Order Granting Special Relief

NOVEMBER 10, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by Section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977 by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR , provided that this proceeding would be continued before the FERC. The FERC takes action in

this proceeding in accordance with the above mentioned authorities.

On July 18, 1977, Sun Oil Co., Delaware (Sun) filed a petition for special relief pursuant to Section 2.76 of the Commission's General Policy and Interpretations (18 CFR 2.76) for the sale of natural gas to Panhandle Eastern Pipe Line Co. (Panhandle) from the Harrison Gas Unit No. 1, West Lorena Field, Texas County, Okla.

Sun, a large producer, is making this sale under its contract with Panhandle dated May 2, 1967, on file as Sun's FPC Gas Rate Schedule No. 227 in Docket No. CI68-656. Sun is currently receiving a base rate of 29.5 cents per Mcf at 14.73 psia for this gas. Sun proposes to install a Knight KO-2 compressor with a Waukesha 1197 Engine on the subject well at a cost of \$28,000 in order to continue production and depletion of the producing zone. The compressor will enable Sun to produce an additional 218,750 Mcf of net working interest gas over the next four years according to Sun's reserve estimate. Consequently, Sun requests that the Commission authorize it to collect a base rate of 42.0683 cents per Mcf at 14.73 psia. By a contract amendment dated June 1, 1977, Panhandle agreed to pay Sun the proposed rate.

Notice of the petition was issued on August 19, 1977, and on August 25, 1977, Panhandle filed a petition to intervene.

Sun's proposed rate is within the criteria set out in Order No. 551. Specifically the proposed additional investment will result in less than \$50,000 additional revenue (\$27,493), the proposed new investment of \$28,000 exceeds 25 percent of the estimated additional revenue, and the base rate of 42.0683 cents per Mcf at 14.73 psia requested by Sun is less than 50 cents per Mcf.

Based on the Commission Staff's evaluation of data submitted by Sun in conformance with the criteria set out in Order No. 551, the proposed rate is cost justified and in the public interest. Accordingly, we find that the instant petition is consistent with the purposes of Section 2.76 and that such petition sets forth an adequate economic justification for the relief sought.

The Commission orders:

(A) Sun's petition for special relief is hereby granted.

(B) Sun is authorized to collect a base rate of 42.0683 cents per Mcf at 14.73 psia for gas sold to Panhandle from the Harrison Gas Unit No. 1, West Lorena Field, Texas County, Okla., effective on the date of issuance of this order or on the date of completion of the proposed work, whichever is later. This authorization is contingent upon Sun's filing within 30 days of the effective date set forth above a statement, signed by Panhandle, that the proposed work has been performed to Panhandle's satisfaction.

(C) The June 1, 1977 contract amendment permitting the proposed rate is hereby accepted as Supplement No. 14 to Sun's Rate Schedule No. 227 with an effective date as provided in Ordering Paragraph (B).

(D) Sun's independent producer rate change filing is hereby accepted as Supplement No. 15 to Sun's Rate Schedule No. 227 with an effective date as provided in Ordering Paragraph (B).

(E) Panhandle is permitted to intervene in the above-entitled proceeding, subject to the Rules and Regulations of the Commission: *Provided, however,* That its participation shall be limited to matters affecting asserted rights and interests specifically set forth in its petition to intervene; *And Provided further,* That the admission of Panhandle in the manner provided shall not be construed as recognition by the Commission that Panhandle might be aggrieved because of any order or orders entered in this proceeding, and that Panhandle agrees to accept the record as it now stands.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33249 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP78-52]

TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO INC. AND EAST TENNESSEE NATURAL GAS CO.

Notice of Application

NOVEMBER 10, 1977.

Take notice that on October 29, 1977, Tennessee Gas Pipeline Co., a Division of Tenneco Inc. (Tennessee), Tenneco Building, Houston, Tex. 77002, and East Tennessee Natural Gas Co. (East Tennessee), 8200 Kingston Pike, Knoxville, Tenn. 37919 (Applicants), filed in Docket No. CP78-52 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations (18 CFR 2.79) for a certificate of public convenience and necessity authorizing the transportation of natural gas for Aluminum Co. of America (Alcoa), a direct customer of East Tennessee, for 2 years, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants state that Alcoa has contracted to purchase the gas proposed herein to be transported from PAR Oil Corp. (PAR) in Claiborne Parish, La., at a price of \$2.05 per Mcf, which gas Alcoa would use at its three plants in Alcoa, Tenn., where it uses natural gas for certain processes, including filter boxes, preheat and reheat furnaces, holding furnaces of superpurity aluminum, annealing furnaces, heat treat furnaces, carbon anode assembly operations, and furnaces used for preheating and baking anodes and cathodes.

The application states that Alcoa has arranged to have the subject gas delivered by PAR to Tennessee through the facilities of Texas Gas Transmission Corp. (Texas) at the tailgate of Chaplin's gasoline plant at Carthage, Tex. Tennessee proposes to receive at said point, for the account of Alcoa, daily volumes of natural gas up to maximum

daily quantity (MDQ) of 3,022 Mcf, plus additional volumes as a supplement to Tennessee's system fuel and use requirements associated with this transportation service, and to transport and deliver to East Tennessee daily volumes of natural gas equivalent to the volumes so received, exclusive of the fuel and use volumes, up to the said MDQ, to the extent its operating conditions permit, through the utilization of its existing facilities, at Tennessee's existing Greenbrier Sales Meter Station No. 2 Delivery Point, located in Robertson County, Tenn., at Tennessee's Main Line Valve No. 864-1 plus 10.31 miles (Greenbrier). East Tennessee proposes to receive from Tennessee at Greenbrier daily volumes of natural gas, up to the MDQ of 3,022 Mcf, for the account of Alcoa and to transport and deliver to Alcoa daily volumes of natural gas equivalent to the volumes so received, up to said MDQ, with reductions for volumes to be used for East Tennessee's fuel and use requirements associated with the transportation service, to the extent operating conditions permit, through the utilization of its existing facilities.

It is stated that Alcoa would pay Tennessee each month for transportation service: (1) a demand charge to be determined by multiplying \$1.52 by the MDQ, less any demand charge credit provided therein, if applicable; and (2) a volume charge equal to 19.40 cents per Mcf multiplied by (a) the total of the daily volumes delivered during such month or (b) the number of days in said month multiplied by 66 2/3 percent of the MDQ, whichever is greater, less any applicable annual minimum bill credit as provided therein. Tennessee would also retain each day for its system fuel and use requirements a daily volume determined by multiplying 3.63 percent times the volumes received by Tennessee, it is said.

It is stated that Alcoa would pay East Tennessee each month for transportation service a charge to be determined by multiplying the rate of 20.74 cents per Mcf by the volume of natural gas actually delivered by East Tennessee to Alcoa; East Tennessee would retain each day for its system fuel and use requirements a daily volume determined by multiplying 0.72 percent times the volume delivered by Tennessee to East Tennessee for the account of Alcoa for such day.

It is indicated that the subject gas proposed herein to be transported is not available for resale in the interstate market.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 25, 1977, file with the Federal Energy Regulatory 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33250 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP78-53]

TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO INC.

Notice of Application

NOVEMBER 10, 1977.

Take notice that on October 31, 1977, Tennessee Gas Pipeline Co., a Division of Tenneco Inc. (Applicant), Tenneco Building, Houston, Tex. 77002, filed in Docket No. CP78-53 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations (18 CFR 2.79) for a certificate of public convenience and necessity authorizing the transportation of up to 400 Mcf of natural gas per day for W. G. Bush & Co. (Bush) for 2 years, all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that Bush owns and operates a plant located in Gleason, Tenn. which plant is an indirect customer of Applicant, served by Applicant's resale customer, West Tennessee Public Utility District of Weakley, Carroll & Benton Counties, Tenn. (West Tennessee), and that Bush has contracted to purchase up to 400 Mcf of natural gas per day from Louisiana Land & Exploration Co. and from General Crude Oil Company (Exploration, et al.) at a price of \$1.75 cents per Mcf, which gas would be produced from the Woodville Field, Tyler County, Tex., for use in Bush's Gleason, Tenn., plant.

It is indicated that Bush would arrange to have the subject gas plus volumes related to Applicant's fuel and use requirements, made available to Applicant by Exploration at the existing Main Line Valve No. 29-1 plus 6.51 miles, located in Tyler County, Tex. Applicant proposes to receive for the account of Bush daily volumes of natural gas up to the maximum daily quantity (MDQ) of 400 Mcf in Tyler County, Tex., and transport and deliver to West Tennessee, at Applicant's Main Line Valve No. 76-3 plus 1.5 miles located in Henderson County, Tenn., equivalent daily volumes, to the extent its operating conditions permit, through the utilization of its existing facilities.

The application states that Bush would use the gas for Priority 3 uses (Priority 2 had the Gleason plant purchased gas on a firm basis), specifically for use at the Gleason plant in the pre-heat zone of the tunnel kiln, which zone is so delicate that natural gas is required to hold color consistency and quality of the rare ball clays burned at Gleason to produce the pastel shades of white, pink, grey and buff brick. It is indicated that burning of oil in the pre-heat zone would cause discoloration of these bricks and make them unacceptable and substandard, and that only a gaseous fuel such as natural gas or propane can be used to produce such specialty brick from white clay without discoloration. The application states that the subject gas is not available for resale in the interstate market.

Applicant states that Bush would pay it each month for transportation service (1) a demand charge to be determined by multiplying \$1.19 by the MDQ, less any demand charge credit provided therein, if applicable; and (2) a volume charge equal to 15.14 cents per Mcf multiplied by (a) the total of the Scheduled Daily Volumes during such month or (b) the number of days in said month multiplied by 66 2/3 percent of the MDQ, whichever is greater, less any applicable annual minimum bill credit as provided therein. Applicant further states that it would retain each day, for its fuel and use requirements, a volume of natural gas equal to 2.92 percent of the volume transported for such day.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 25, 1977, file with the Federal Energy Regulatory 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33251 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP78-60]

TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO INC., UNITED GAS PIPE LINE CO.

Notice of Application

NOVEMBER 11, 1977.

Take notice that on November 7, 1977, Tennessee Gas Pipeline Co., a Division of Tenneco Inc., (Tennessee), Tenneco Building, Houston, Tex. 77002, and United Gas Pipe Line Co. (United), P.O. Box 1478, Houston, Tex. 77001, (Applicants) filed in Docket No. CP78-60 a joint application pursuant to Section 7 (c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations (18 CFR 2.79), for a certificate of public convenience and necessity authorizing the transportation of natural gas for 2 years for Reynolds Metals Co. (Reynolds), a direct customer of Alabama-Tennessee Natural Gas Co. (Alabama-Tennessee), all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that Reynolds has contracted to purchase natural gas from Mitchell Energy Corp. and Henry F. Goodrich, d.b.a. Goodrich Oil Co. (Producers), in Ouachita Parish, La., at a price of \$1.68 per million Btu's, which price would escalate to \$1.78 per million Btu's at the end of one year following initial deliveries under Reynolds' contract with Producers. It is stated that Reynolds would use the gas at its alloys plant in Listerhill, Ala., where it produces aluminum can stock, coils, sheets, tubing, circles, blanks, wire, rod and bars, which materials are used for the fabrication of various consumer products. The application further states that Reynolds has requested that Applicants and Alabama-Tennessee render transportation services in order to enable

Reynolds to take delivery of the natural gas which it proposes to purchase from Producers. It is indicated that the gas is not available for resale in the interstate market.

It is stated that Reynolds would deliver the subject gas into United's existing pipeline at a point located in Quachita Parish, La., and that at such point United would construct measuring facilities necessary to accomplish the delivery of such gas to United. Reynolds would reimburse United for all costs incurred in such construction, it is said. United proposes to receive for the account of Reynolds daily volumes of natural gas up to the maximum daily quantity (MDQ) of 2,500 Mcf and to transport and deliver for the account of Reynolds daily volumes of natural gas equivalent to the volumes so received, less 1.5 percent of said volumes as a charge for fuel and company use gas, to Tennessee at the existing authorized point of interconnection between the facilities of United and Tennessee at West Monroe, La. (West Monroe). Tennessee proposes to receive from United at West Monroe up to 2,378 Mcf of natural gas per day, for the account of Reynolds, and to transport and deliver to Alabama-Tennessee for the account of Reynolds daily volumes of natural gas equivalent to the volumes so received, exclusive of volumes for Tennessee's fuel and use requirements associated with the proposed transportation service, to the extent operating conditions permit, and through the utilization of its existing facilities.

It is indicated that Reynolds would pay United each month for the proposed transportation service an amount equal to United's average jurisdictional transmission cost of service in effect from time to time in United's Northern Rate Zone, less any amount included in such average jurisdictional transmission cost of service which is attributable to gas consumed in the operation of United's pipeline system, which amount, excluding said 1.5 percent fuel component, is currently 20.04 cents per Mcf. It is further indicated that Reynolds would pay Tennessee each month for transportation service: (1) a demand charge to be determined by multiplying \$1.49 by the MDQ, less any demand charge credit provided therein, if applicable, and (2) a volume charge equal to 18.97 cents per Mcf multiplied by (a) a total of the daily volumes delivered during such month or (b) the number of days in said month multiplied by 66 2/3 percent of the MDQ, whichever is greater, less any applicable annual minimum bill credit as provided therein. In addition to the volumes transported by Tennessee for Reynolds each day, Tennessee would receive for its fuel and use requirements a daily volume of natural gas equal to 3.55 percent of the volumes of gas transported by Tennessee on such day, it is said.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 25, 1977, file with the Federal Energy

Regulatory 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33264 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP78-45]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

NOVEMBER 9, 1977.

Take notice that on October 26, 1977, Transcontinental Gas Pipe Line Corp. (Applicant), P.O. Box 1396, Houston, Tex. 77001, filed in Docket No. CP78-45 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations (18 CFR 2.79) for a certificate authorizing the transportation of up to 700 Mcf of natural gas per day (at 14.65 psia) for 2 years for American Bakeries Co. (ABC), an existing industrial customer of Piedmont Natural Gas Co. (Piedmont) and North Carolina Natural Gas Corp. (NCNG), two resale customers of Applicant served under Rate Schedule CD-2, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant requests authorization to transport gas for ABC pursuant to a transportation agreement, dated September 5, 1977, among Applicant, ABC,

Piedmont and NCNG. It is stated that ABC has purchased the subject gas from Glen A. Martin (Martin) at a price of \$2.00 per million Btu's equivalent for the first contract year, and \$2.10 commencing with the second contract year, which gas is to be produced from the South Longhorn Field, Duval County, Tex. Applicant states that ABC has arranged to have the gas delivered to Applicant at mutually agreeable points on Applicant's system and Applicant would redeliver the gas to existing points of delivery to Piedmont and NCNG for the account of ABC. Piedmont and NCNG have agreed to transport such quantities of natural gas delivered to them by Applicant for the account of ABC to ABC's bakeries in Charlotte, Winston-Salem, Fayetteville and Rocky Mount, N.C. and Anderson, S.C.

It is indicated that the proposed end uses of the gas are for Priority 3 (Priority 2 if gas were obtained under firm contract) at each of the five bakeries, specifically for use in direct-fired baking ovens which produce food for human consumption, being a full line of bread and cake products. A gaseous fuel is required for such ovens since the use of oil-fired equipment would result in contamination of the food products being baked, it is said. Applicant indicates that the gas proposed to be transported is unavailable to the interstate market because of the unwillingness of producer to sell the gas for resale in the interstate market.

Applicant states that it would charge ABC, initially, 29.8 cents per dekatherm equivalent for all quantities delivered hereunder and that it would also retain, initially, 3.8 percent of the quantities received for transportation as make-up for compressor fuel and line loss.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 23, 1977, file with the Federal Energy Regulatory 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory 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 re-

quired herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33241 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP78-61]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

NOVEMBER 10, 1977.

Take notice that on November 4, 1977, Transcontinental Gas Pipe Line Corp. (Applicant), P.O. Box 1396, Houston, Tex. 77001, filed in Docket No. CP78-61 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas from an additional source for Elizabethtown Gas Co. (Elizabethtown) one of Applicant's resale customers served under Rate Schedule CD-3, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant indicates that it is presently transporting on an interruptible basis for Elizabethtown quantities of natural gas which Elizabethtown purchases from its affiliate National Exploration Co. (Exploration) in the McCaskill Field, Karnes County, Tex., the Bancker Field, Vermilion Parish, La., and the East Point Blue Field, Evangeline Parish, La., pursuant to an agreement between Applicant and Elizabethtown dated May 18, 1972, as amended. Applicant states that Exploration and Texas City Refining, Inc. (Texas City) now have production in the Lake Arthur Field, Jefferson Davis Parish, La. which would be sold to Elizabethtown at a price (adjusted for Btu value in excess of or less than 1,000) beginning at \$1.313 per Mcf and escalated annually by \$0.01 per Mcf each January 1, beginning January 1, 1978. In addition Elizabethtown would also pay Exploration-Texas Gas a gathering charge of \$0.005 per Mcf for all gas delivered to the delivery point from Exploration-Texas Gas to Applicant, it is said.

Applicant proposes to transport the subject gas for Elizabethtown pursuant to the May 18, 1972, agreement as amended. Applicant states that Elizabethtown would arrange to have the gas delivered to Texas Gas Transmission Corp. (Texas Gas) in the field, that Texas Gas would deliver the gas to Ap-

plicant at mutually agreeable existing authorized exchange points, and that it would redeliver the transportation quantities to existing points of delivery to Elizabethtown in New Jersey. No additional facilities are required to render the proposed service, it is said.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 25, 1977, file with the Federal Energy Regulatory 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 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 Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33252 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. RP77-19]

TRANSWESTERN PIPELINE CO.

Notice of Settlement Conference

NOVEMBER 10, 1977.

Take notice that on November 28, 1977, at 10 a.m. an informal conference will be convened of all interested persons with a view towards settling the issues in the captioned proceeding. The conference will be held at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C.

Customers and other interested persons will be permitted to attend, but if

such persons have not previously been permitted to intervene by order of the Commission, attendance will not be deemed to authorize intervention as a party in this proceeding.

All parties will be expected to come fully prepared to discuss the merits of all issues arising in this proceeding and any procedural matters preparatory to a full evidentiary hearing or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33253 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP77-52]

TRUNKLINE GAS CO.

Notice of Change in Tariff

NOVEMBER 10, 1977.

Take notice that Trunkline Gas Co. (Trunkline) on October 28, 1977 tendered for filing the following sheets to its FPC Gas Tariff, Original Volume No. 2:

First Revised Sheet No. 1068; First Revised Sheet No. 1070; First Revised Sheet No. 1071; First Revised Sheet No. 1073; First Revised Sheet No. 1101; First Revised Sheet No. 1102; First Revised Sheet No. 1103; First Revised Sheet No. 1105; Original Sheet No. 1105.1; First Revised Sheet No. 1106; First Revised Sheet No. 1131; First Revised Sheet No. 1135.

Trunkline states that such changes are made to amend the existing rate schedules T-25 and T-26 for the transportation of natural gas for Gulf Oil Corp. (Gulf). Trunkline proposes that these sheets become effective coincidental with the Commission's issuance of a temporary certificate which incorporates these amendments in Docket No. CP77-52.

A copy of this filing has been served on Gulf.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NW., Washington, D.C. 20426, in accordance with section 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 November 30, 1977. 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.77-33254 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. CP77-597]

TRUNKLINE GAS CO.

Notice of Change in Tariff

NOVEMBER 10, 1977.

Take notice that Trunkline Gas Co. (Trunkline) on October 27, 1977 tendered for filing the following sheets to its FPC Gas Tariff, Original Volume No. 2:

Twelfth Revised Sheet No. 1-C; Original Sheet Nos. 1220 through 1254; Original Sheet No. 1-D; Original Sheet Nos. 1255 through 1292.

Trunkline states that such changes are made to provide rate schedules T-29 and T-30 for the transportation of natural gas for Amoco Production Co. (Amoco). Trunkline proposes that these sheets become effective coincidental with the Commission's issuance of a temporary certificate in Docket No. CP77-597.

A copy of this filing has been served on Amoco.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 November 25, 1977. 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.77-33255 Filed 11-16-77;8:45 am]

[6740-02]

[Docket No. RP77-64]

VALLEY GAS TRANSMISSION CO.

Notice of Proposed Settlement

NOVEMBER 15, 1977.

Take notice that on November 1, 1977, Valley Gas Transmission, Inc. (Valley) filed with the Commission a proposed settlement agreement which, if approved, will resolve all issues in the captioned proceeding. Valley states that the active participants in the case, including the Commission staff, support the settlement. It is further stated that a copy of the settlement was served on all parties listed on the official service list.

Any person desiring to be heard or to protest the proposed settlement should file comments with the Federal Energy Regulatory Commission, 825 North Capi-

tol Street, NE., Washington, D.C. 20426, on or before November 21, 1977. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33393 Filed 11-16-77; 8:45 am]

[6740-02]

[Docket No. ER77-474]

WISCONSIN PUBLIC SERVICE CORP.

Order Accepting for Filing and Suspending Rate Increases, Providing for Hearing, Waiving Notice, Establishing Procedures and Granting Intervention

NOVEMBER 10, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by Section 402 (a) (1) of the DOE Act.

The joint regulation adopted on October 1, 1977 by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR ----, provided that this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On June 27, 1977, as completed on October 11, 1977, Wisconsin Public Service Corp. (WPSC) submitted for filing in Docket No. ER77-474, a proposed new partial-requirements tariff and related service agreement with Consolidated Water Power Company (CWP) which incorporates time-of-use rates. The proposed Service Agreement with CWP is intended to supersede in its entirety the current Interconnection and Emergency Energy Agreement between WPSC and CWP. In its filing WPSC requests waiver of the Commission's notice require-

ments, and an effective date of July 1, 1977.

Notice of the original filing was issued on July 6, 1977, with comments due on or before July 20, 1977. On July 20, 1977, the Cities of Manitowoc and Marshfield, Wis., and the Algoma Group, an informal organization representing the Cities of Algoma, Eagle River, New Holstein, Sturgeon Bay, Two Rivers, Village of Stratford, Wis., and the City of Stephenson, Mich. (Petitioners) filed a petition to intervene in this proceeding. On July 27, 1977, the Public Service Commission of Wisconsin filed a notice of intervention.

Manitowoc and Marshfield own and operate electric public utilities including generating facilities. Both have interconnection agreements with WPSC providing for the exchange of various classifications of service. Members of the Algoma Group purchase all or substantially all of their electrical requirements from WPSC. Petitioners claim to have an interest in the instant submittal in that in the future they may wish to become partial requirements customers.

On August 1 and 5, 1977, respectively, WPSC and CWP filed Answers to the Petition to Intervene. The Answers alleged that: (1) the possibility that the Cities which have petitioned for intervention may in the future desire to purchase partial requirements does not establish that they have a substantial interest in the proceeding; (2) the Petition to Intervene does not comply with the requirements of Section 1.8(c) of the Commission's Rules and Regulations requiring that the position of the petitioners be set out so as to fully advise the parties as to the specific issues of law and fact in the proceeding; and (3) WPSC and CWP should not bear part of the expense of participating in hearings as a result of the Petition to Intervene.

Our review of the Petition to Intervene and the Answers thereto indicates that Petitioners should be permitted to intervene in this proceeding, and that WPSC has not demonstrated that participation by the Petitioners would not be in the public interest. A review of WPSC's filing indicates that the proposed tariff and service agreement, filed by WPSC on June 27, 1977, and completed on October 11, 1977, have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Accordingly, we will accept WPSC's tariff and agreement for filing and suspend their operation for one day to become effective July 2, 1977, subject to refund.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the proposed agreement and tariff originally tendered by WPSC on June 27, 1977, establish procedures for that hearing, and that the proposed agreement and increased charges be accepted for filing, suspended, and the

use thereof deferred, all as hereinafter ordered.

(2) Participation in this proceeding by the Petitioners may be in the public interest.

(3) Good cause exists to waive the Commission's notice requirement.

The Commission orders:

(A) The Petitioners and the Public Service Commission of Wisconsin are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however*, That participation of these Petitioners shall be limited to matters affecting asserted rights and interests as specifically set forth in their petition to intervene; and *Provided, further*, that the admission of these Petitioners shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 402(a) of the DOE Act and by the Federal Power Act, particularly Sections 205, 206, 301, 308 and 309 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the Regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning the justness and reasonableness of the tariff and agreement proposed by WPSC in this proceeding.

(C) Pending such hearing and decision thereon, the notice requirements of Section 35.11 of the Commission's Regulations are hereby waived and the proposed increased rates and charges originally filed by WPSC on June 27, 1977, are hereby accepted for filing, suspended and the use thereof deferred until July 2, 1977, when they shall become effective subject to refund.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose shall preside at a prehearing conference in this proceeding to be held on January 9, 1978, at 10 a.m. in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Law Judge is authorized to establish all procedural dates and to rule upon all motions (except petitions to intervene, motions to consolidate and sever, and motions to dismiss) as provided for in the Commission's Rules of Practice and Procedure.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.¹

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-33261 Filed 11-16-77; 8:45 am]

¹ 18 CFR § 35.11 (1977).

² Commissioner Holden voted present.

[6712-01]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket No. 20778]

INTERNATIONAL CARRIERS AND THEIR
COMMUNICATIONS SERVICES BE-
TWEEN THE UNITED STATES AND
OVERSEAS AND FOREIGN POINTSOrder Regarding Preliminary Audit and
Study of Operations

Adopted: November 9, 1977.

Released: November 11, 1977.

NOVEMBER 11, 1977.

1. By Memorandum Opinion and Order in the above-referenced proceedings released May 7, 1976, 59 FCC 2d 240, the Commission instituted a preliminary audit and study of the operations of United States international communications carriers. In connection with that examination, the Commission directed the subject carriers to file fully-distributed (FDC) and current cost studies which are currently scheduled to be submitted November 15, 1977. We have before us for consideration requests by All America Cables and Radio, Inc., ITT Communications, Inc.—Virgin Islands, ITT World Communications Inc., RCA Global Communications, Inc., and Western Union International, Inc., all seeking extension until December 30, 1977, of the date for filing cost studies in this proceeding. Additionally, we have received from TRT Telecommunications Corp. a request for additional time in which to submit its cost studies which does not specify an alternative date but, referring to the above requests, seeks the same extension granted the others.

2. In support of their requests, the parties generally cite the complexity of the required cost studies and hardship due to the unexpected absence of key personnel charged with completion of the studies.

3. We believe that the grant of some extension is reasonable. We recognize that the cost studies in this proceeding will entail a substantial amount of effort if the results are to be meaningful to us in advising the Commission. Therefore, we shall balance our desire for expeditious resolution of this proceeding against the need for the best possible information. We believe that the public interest will be served by a one-month extension of the filing time.

4. Accordingly, it is ordered, pursuant to § 0.303 of the Commission's rules and regulations, 47 CFR 0.303 (1976), that the date for the filing of the fully-distributed and current cost studies in this proceeding is hereby extended until December 15, 1977.

FEDERAL COMMUNICATIONS
COMMISSION,WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc.77-33210 Filed 11-16-77;8:45 am]

* See 42 FR 32566, June 27, 1977.

[6730-01]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder
License No. 1405]

AMERICAN OCEANAIR EXPRESS, INC.

Notice of Reinstatement of License

By Federal Maritime Commission Order served and published in the FEDERAL REGISTER, American Oceanair Express, Inc.'s Independent Ocean Freight Forwarder License No. 1405 was revoked, effective September 28, 1977, for failure to maintain a valid surety bond on file with the Commission. The order of revocation was served on October 3, 1977. *

An appropriate surety bond has been received in favor of American Oceanair Express, Inc., and compliance pursuant to section 44, Shipping Act, 1916, and section 510.9 of the Commission's General Order 4 has been achieved.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised), section 5.01(a), dated August 8, 1977, Independent Ocean Freight Forwarder License No. 1405-R shall be reissued to American Oceanair Express, Inc., effective September 28, 1977. A copy of this notice of reinstatement shall be published in the FEDERAL REGISTER and served upon American Oceanair Express, Inc.

LEROY F. FULLER,
Director, Bureau of
Certification and Licensing.

[FR Doc.77-33268 Filed 11-16-77;8:45 am]

[6210-01]

FEDERAL RESERVE SYSTEM

EICHER BANCORPORATION

Formation of Bank Holding Company

Eicher Bancorporation, Iowa City, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding by acquiring 98.5 percent or more of the voting shares of Hawkeye State Bank, Iowa City, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Eicher Bancorporation, Iowa City, Iowa, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4 (b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to engage de novo in the sale of credit life, accident and health insurance in Iowa City, Iowa. Notice of the application was published on September 16, 1977, in "The Iowa City Press Citizen," a newspaper circulated in Iowa City, Iowa.

Applicant states that the proposed subsidiary would engage in the activities of selling credit life, accident and health insurance directly related to extensions of credit by Hawkeye State Bank. Such

activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than December 8, 1977.

Board of Governors of the Federal Reserve System, November 10, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-33214 Filed 11-16-77;8:45 am]

[6210-01]

FIRST NATIONAL CHARTER CORP.

Acquisition of Bank

First National Charter Corp., Kansas City, Mo., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Farmers State Bank of Lockwood, Lockwood Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than December 12, 1977.

Board of Governors of the Federal Reserve System, November 11, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-33215 Filed 11-16-77;8:45 am]

[6210-01]

FIRST NATIONAL MC COOK CO.

Formation of Bank Holding Company

First National McCook Co., McCook, Nebr., has applied for the Board's ap-

proval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842 (a) (1)) to become a bank holding company by acquiring 99 percent or more of the voting shares of The First National Bank of McCook, McCook, Nebr. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than December 12, 1977.

Board of Governors of the Federal Reserve System, November 11, 1977.

GRIFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 77-33216 Filed 11-16-77; 8:45 am]

[6210-01]

HAMLIN FINANCIAL CORP.

Formation of Bank Holding Company

The Hamlin Financial Corp., Hamlin, Tex., has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of Farmers & Merchants National Bank, Hamlin, Tex. The factors that are considered in acting on the application are set forth in 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than December 8, 1977.

Board of Governors of the Federal Reserve System, November 11, 1977.

GRIFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 77-33217 Filed 11-16-77; 8:45 am]

[6820-25]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Reg.;
Temporary Reg. E-50]

CARE AND MANAGEMENT OF EXCESS AUTOMATIC DATA PROCESSING EQUIP- MENT (ADPE)

1. *Purpose.* This regulation reinforces the need to protect the Federal Government's equity in ADPE resources.

2. *Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER.

3. *Expiration date.* This regulation expires October 31, 1978.

4. *Applicability.* The provisions of this regulation apply to all Federal agencies as defined in FPMR 101-32.301-2.

5. *Background.* a. GSA is not receiving reports of excess ADPE sufficiently in advance of the scheduled release date to

allow proper excess screening and allocation prior to discontinuance by the holding activity. Frequently, GSA receives excess ADPE reports after the equipment has been disconnected, the maintenance discontinued, and/or the equipment warehoused.

b. Current regulations require that the holding agency report the equipment to GSA at least 90 days before the anticipated release date determined by the holding agency.

c. Most Federal agencies have maintenance contracts to keep the equipment in effective operating condition. However, once the equipment is determined to be of no further use to the holding agency, maintenance contracts are canceled. When a lapse in contractual maintenance coverage occurs, the Government has, in effect, relieved the contractor of the responsibility for maintaining the equipment in acceptable operating condition. Further, equipment is frequently being warehoused, sometimes for several years, prior to excess reporting. This results in unnecessary expenditures of funds by other Federal agencies that are leasing similar equipment. It also causes extremely high refurbishment costs to make the equipment again eligible for a maintenance contract. Effective ADP resources management planning by Federal agencies can greatly diminish this waste of Government funds and resources.

6. *Reporting procedures.* a. FPMR 101-32.4702 requires that ADPE be reported as excess by the holding agency at least 90 calendar days in advance of the anticipated release date. To ensure economic reutilization, this ADPE should be reported to GSA while the ADPE is in use and under maintenance. Thereby, relocation between Federal agencies can then be accomplished without a lapse in contractual maintenance coverage.

b. Agencies that fail to report excess ADPE prior to warehousing and/or prior to discontinuing the maintenance contract will be responsible for any resultant refurbishment costs necessary to make the ADPE again eligible for a maintenance contract.

7. *Comments.* Comments may be submitted to the General Services Administration (CPSB), Washington, D.C. 20405, on or about January 16, 1977. All comments will be carefully considered prior to codification in FPMR 101-32.

8. *Assistance.* Further information concerning this regulation may be obtained from the General Services Administration's Office of Automated Data Management Services; local and FTS telephone number is 566-1284.

9. *Effect on other issuances.* This regulation supplements the policies in FPMR 101-32.3 and 101-32.4702.

ROBERT T. GRIFFIN,
Acting Administrator of
General Services.

NOVEMBER 2, 1977.

[FR Doc. 77-33192 Filed 11-16-77; 8:45 am]

[6820-24]

[Federal Property Management Reg.;
Temporary Reg. F-450]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent, in conjunction with the Administrator of General Services, the consumer interests of the executive agencies of the Federal Government in an intrastate telephone rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly section 201(a) (4) and 205(d) (40 U.S.C. 481(a) (4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Nebraska Public Service Commission involving the application of the Northwestern Bell Telephone Company for an increase in rates and charges applicable to intrastate telephone service. The authority delegated to the Secretary of Defense shall be exercised concurrently with the Administrator of General Services.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

JAY SOLOMON,
Administrator of
General Services.

NOVEMBER 3, 1977.

[FR Doc. 77-33193 Filed 11-16-77; 8:45 am]

[4110-02]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

BASIC EDUCATIONAL OPPORTUNITY GRANT PROGRAM

Notice of Award of Multiple Data Entry Contracts—Closing Date

Notice is hereby given that the Commissioner of Education will contract with both State and private agencies and organizations which provide need analysis services to permit them to collect financial data from students for the Basic Grant Program on their own form for the 1978-79 academic year if the agencies and organizations qualify under the criteria set forth below. These organizations will transmit the data needed to calculate a student's expected family contribution under the Basic Grant Pro-

gram to the Office of Education. This procedure will eliminate the necessity for those students to file a Federal Basic Grant form.

CLOSING DATE

A. *Request for proposal.* The requests for proposal are being prepared and it is anticipated that they will be available for mailing on or about November 14, 1977.

B. *Inquiry closing date.* Agencies or organizations that meet the criteria listed below and wish to receive consideration for award of the contract described above must submit a letter indicating their interest by December 4, 1977 to:

Peter K. U. Voigt, Director, Division of Basic and State Student Grants, U.S. Office of Education, 400 Maryland Avenue SW., ROB-3, Room 4673, Washington, D.C. 20202.

C. *Criteria for participation.* It is anticipated that approximately 2.5 million students will use the non-Federal form when applying to have their expected family contribution determined for the basic grant program. In order to assure that this new arrangement works to the advantage of the student, and the applications are processed correctly and in a timely manner, the criteria were developed so that only those need analysis services which have had the experience of processing large volume of applications could participate in this venture.

The criteria are:

1. Whether an agency or organization has an established financial aid form and performs its own processing of the form.

2. For State agencies, whether the agency distributed its form to all high schools in the State in the 1976-77 academic year.

3. For need analysis services, whether the agency or organization distributed its form to all high schools in the country in the 1976-77 academic year.

4. For private agencies, whether the volume of forms processed during the 1976-77 academic year was at least 100,000.

Dated: November 10, 1977.

ERNEST L. BOYER,
U.S. Commissioner of Education.

[FR Doc.77-33232 Filed 11-16-77;8:45 am]

[4110-12]

Office of the Assistant Secretary for
Planning and Evaluation

ROLE OF PSYCHOLOGICAL WELL-BEING IN MANPOWER TRAINING PROGRAMS

Program Results

Pursuant to section 606 of the Community Service Act of 1974, (Pub. L. 93-644) 42 U.S.C. 2946, this agency announces results reported under an HEW research project entitled: "A Detailed Analysis of the Relationship Between Psychological Well-Being and the Effects of Manpower Training Programs."

This study utilized data collected by the OEO Longitudinal Manpower Evaluation to examine aspects of the role of psychological well-being (a broadly conceived concept of mental health) in manpower training programs. Psychological well-being was measured by the Affect Balance Scale for 6000 enrollees in four urban manpower programs—MDTA, JOBS, Job Corp and NYC—and for a control sample of 2000, not in the programs, at three points in time: (1) Upon entry into the program; (2) at the time of program termination; and (3) one year after program termination.

Psychological well-being was found to be related to a number of variables frequently used to evaluate the outcome of manpower training programs. Most importantly, it was found that the better adjusted a trainee was upon entry into the program, the more likely he was to complete the training program, to be employed one year later, to be earning higher wages, and to believe the training program has benefited him in terms of helping him find a job, keep a job, and get a promotion. It was also found that while the average psychological well-being level of the control sample remained fairly stable over time, the level of psychological well-being for those enrolled in manpower training programs showed a large drop over time. This decline in psychological well-being was attributed to an elevation in well-being upon enrollment in a training program, most likely resulting from high expectations about what the programs could deliver by program recruiting practice.

The following proposed recommendations were made: (1) Since psychological well-being was found to be related to a number of variables of interest in manpower training programs, manpower programs should pay much more attention to psychological factors than they have in the past; (2) given the decline in psychological well-being from program enrollment to departure from the program, manpower programs should carefully investigate the reasons for this decline and the possibility of long-term harmful effects stemming from program related declines in psychological well-being; and (3) more research needs to be done on the role of psychological factors in manpower programs.

Dated: November 8, 1977.

HENRY AARON,
Assistant Secretary for
Planning and Evaluation.

[FR Doc.77-33237 Filed 11-16-77;8:45 am]

[4110-83]

Public Health Service

GRANTS FOR PROGRAMS FOR THE TRAINING OF PHYSICIAN ASSISTANTS

Application Announcement

The Bureau of Health Manpower, Health Resources Administration, announces that applications for fiscal year 1978 grants for programs for the train-

ing of physician assistants are now being accepted under the authority of section 783(a) of the Public Health Service Act (except subsections (2) and (3)), as amended by the Health Professions Educational Assistance Act of 1976 (Pub. L. 94-484). Federal assistance for training of physician assistants was formerly supported under section 774(a) of the PHS Act.

Section 783(a) authorizes the award of grants to meet the costs of planning, developing and operating or maintaining programs for the training of physician assistants as defined in section 701(7) of the PHS Act. The definition of "program for the training of physician assistants" was published as an interim-final regulation in the FEDERAL REGISTER on August 30, 1977 (42 FR 43630). Eligible applicants are public or nonprofit private schools of medicine and osteopathy and other public or nonprofit private entities.

To receive support, programs must meet the requirements of the interim-final regulations, including the requirement that programs develop and use (1) methods designed to encourage graduates of the programs to work in health manpower shortage areas and (2) methods for placing graduates in positions for which they have been trained.

Requests for application materials and questions regarding grants policy should be directed to: Grants Management Officer, Bureau of Health Manpower, HRA, Center Building, Room 4-22, 3700 East-West Highway, Hyattsville, Md. 20782, phone 301-436-6564.

To be considered for fiscal year 1978 funding, applications must be received by Grants Management Officer, BHM, HRA, at the above address no later than December 7, 1977.

Should additional programmatic information be required, please contact: Professional Education and Development Branch, Division of Medicine, Bureau of Health Manpower, HRA, Center Building, Room 4-50, 3700 East-West Highway, Hyattsville, Md. 20782, phone 301-436-6580.

Dated: November 10, 1977.

HAROLD MARGULIES,
Deputy Administrator, HRA.

[FR Doc.77-33201 Filed 11-17-77;8:45 am]

[4110-83]

GRANTS FOR THE TRAINING OF U.S. CITIZEN FOREIGN MEDICAL STUDENTS

Application Announcement

The Bureau of Health Manpower, Health Resources Administration, announces that applications for fiscal year 1978 grants for the training of U.S. citizen foreign medical students are now being accepted under the authority of section 782 of the Public Health Service Act, as amended by the Health Professions Educational Assistance Act of 1976 (Pub. L. 94-484).

Section 782 provides for grants to public or nonprofit private accredited schools of medicine and osteopathy to plan, develop, and operate training programs for U.S. citizens who were students in foreign medical schools before October 12, 1976 (1) to enable them to meet the requirements of enrolling in schools of medicine or osteopathy in the States as full-time students with advanced standing; or (2) to train such students who have transferred from foreign medical schools and have enrolled in schools of medicine or osteopathy in the States as full-time students with advanced standing. Interim regulations governing section 782 were published in the FEDERAL REGISTER on September 16, 1977 (42 FR 46529). The public has until November 15, 1977 to comment on these regulations.

Requests for application materials and questions regarding grants policy should be directed to: Grants Management Officer, Bureau of Health Manpower, HRA, Center Building, Room 4-22, 3700 East-West Highway, Hyattsville, Md. 20782, phone 301-436-6564.

To be considered for fiscal year 1978 funding, applications must be received by the Grants Management Officer, BHM, HRA, at the above address no later than December 7, 1977.

Should additional programmatic information be required, please contact: International Education Programs Branch, Division of Medicine, Bureau of Health Manpower, HRA, Center Building, Room 4-50, 3700 East-West Highway, Hyattsville, Md. 20782, phone 301-436-6569.

Dated: November 10, 1977.

HAROLD MARGULIES,
Deputy Administrator, HRA.

[FR Doc. 77-33200 Filed 11-17-77; 8:45 am]

[4110-83]

HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE ACT, 1976

Direct and Affiliated Medical Residency Program Data Section 771(b)(2)

Section 771(b)(2) of the Public Health Service Act, as amended by the Health Professions Educational Assistance Act of 1976 (Pub. L. 94-484), requires that schools of medicine, to establish eligibility, in part, for participation in the Health Professions Capitation Grant Program, have a specified minimum percentage of all filled first-year residencies in direct and affiliated medical residency training programs in primary care. Primary care is defined in section 771(b) as family practice, general internal medicine, and general pediatrics. The authorizing legislation requires the following percentages of the filled first-year residencies in primary care: 35 percent on July 15, 1977, 40 percent on July 15, 1978, and 50 percent on July 15, 1979. These percentages are to be computed nationally. If the percentages specified are not met at a national level, a school-by-school determination will be necessary.

DETERMINATION BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Based on the information provided by medical schools as of August 29, 1977, the Department of Health, Education, and Welfare has determined that 52.8 percent of all filled first-year positions in direct and affiliated medical residency training programs were in primary care as of July 15, 1977, and that the required 35 percent has thereby been met and exceeded for the fiscal year 1978 capitation grants to schools of medicine.

METHODOLOGY AND DEFINITIONS FOR ESTABLISHING THE PERCENTAGES

Program guidelines, instructions, and response forms on the capitation program were designed by the Health Resources Administration, Department of Health, Education, and Welfare and forwarded to all medical schools.

For the purpose of section 771(b)(2), only medical residency training programs approved by the Liaison Committee on Graduate Medical Education (LCGME) were recognized in the count. The specialties included are:

1. Allergy and immunology.
2. Anesthesiology.
3. Colon and rectal surgery.
4. Dermatology.
5. Family practice.
6. General surgery.
7. Internal medicine.
8. Neurological surgery.
9. Neurology.
10. Nuclear medicine.
11. Obstetrics and gynecology.
12. Ophthalmology.
13. Orthopedic surgery.
14. Otolaryngology.
15. Pathology.
16. Pediatrics.
17. Physical medicine and rehabilitation.
18. Plastic surgery.
19. Preventive medicine.
20. Psychiatry.
21. Radiology.
22. Thoracic surgery.
23. Urology.

Each school of medicine was asked to provide the following information:

1. The number of direct and affiliated medical residency training programs of the school.

$$\frac{\text{Filled First-Year Primary Care Residency Positions}}{\text{Total Number of First-Year Residents}} \times 100 = \text{Percentage in Primary Care.}$$

The numerator of the fraction—Filled First-Year Primary Care Residency Positions—was determined by first summing all full-time and full-time equivalent, categorical, and "categorical*" first-year positions in family practice, internal medicine, and pediatrics and all filled flexible positions sponsored exclusively by family practice, internal medicine, and/or pediatrics on July 15, 1977; from this sum was subtracted the number of residents who, on July 15, 1976, has been in first-year primary care positions and no longer were in any such program on July 15, 1977.

2. The number, on July 15, 1977, of full-time and full-time equivalent residents in first-year positions in the primary care specialties of family practice, internal medicine, and pediatrics. Shared-schedule or less than full-time equivalent residency positions were counted as fractional positions rounded to the nearest one-tenth of a full-time equivalent position, based on the proportion of total benefits received by the incumbent of the position.

3. The number of full-time and full-time equivalent residents in first-year positions in the primary care specialties of family practice, internal medicine, and pediatrics on July 15, 1976, who were not in any direct or affiliated primary care medical residency training program of any school on July 15, 1977.

4. The number of filled first-year residency positions in all direct and affiliated medical residency training programs on July 15, 1977.

5. The number of first-year positions in the following types of medical residency training programs:

a. Categorical first-year program. (A first-year program which is planned, sponsored, and conducted by a single accredited medical residency training program as part of that residency. The content of the first year is limited to the specialty field of the sponsoring residency program.)

b. "Categorical*" first-year program. (A first-year medical residency training program which is planned, sponsored, and supervised by a single, accredited residency program as part of that residency. The content of the first year is not limited to a single specialty.)

c. Flexible first-year program. (A first-year medical residency training program which is sponsored by two or more accredited residency programs and jointly planned and supervised by the residency programs that sponsor them.)

The formula for computing the percentages is as follows:

The term, "Categorical" was adopted by the LCGME and is in general use.

The denominator of the fraction—Total Number of (full-time and full-time equivalent) First-Year Residents includes:

1. All positions in categorical and "categorical*" first-year programs in family practice, internal medicine, pediatrics, obstetrics-gynecology, pathology, and general surgery;

2. All positions in flexible first-year programs, regardless of the specialty of sponsoring residency programs; and,

3. All positions filled by residents in medical residency training programs sponsored by specialties other than those

identified in 1. above, and who were in their first year of graduate medical education.

Dated: November 10, 1977.

HAROLD MARGULIES, M.D.,
Deputy Administrator, HRA.

[FR Doc.77-33199 Filed 11-17-77;8:45 am]

[4310-84]

DEPARTMENT OF THE INTERIOR

[AA-6646-A]

ALASKA NATIVE CLAIMS SELECTION

Application

On September 10, 1974 and December 13, 1974, Natives of Akhiok, Inc., for the Native village of Akhiok, filed selection application AA-6646-A under the provisions of section 12 of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611 (Supp. V, 1975)), for the surface estate of certain lands in the Akhiok area, including lands within the Kodiak National Wildlife Refuge (Public Land Order (PLO) 1634).

On December 16, 1975, Koniag, Inc. filed selection applications AA-10590 and AA-10598, pursuant to section 14(h) (1) Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(h) (Supp. V, 1975)). Section 14(h) and Departmental regulations issued thereunder provide that the Secretary of the Interior is authorized to withdraw and convey unreserved and unappropriated public lands. Since the lands encompassed in the subject section 14(h) (1) applications had been properly selected by Natives of Akhiok, Inc. under section 12(a) and since a portion of AA-10590 included patented lands, the following applications must be and are hereby rejected in their entirety:

SEWARD MERIDIAN, ALASKA (UNSURVEYED)

AA-10590

T. 35 S., R. 30 W.
Sec. 25, NE¼.

Containing approximately 160 acres.

AA-10598

T. 35 S., R. 30 W.
Sec. 24, SE¼.

Containing approximately 160 acres.
Total aggregated acreage, approximately 320 acres.

When this decision becomes final, the aforementioned section 14(h) (1) applications will be closed of record.

As to the lands described below, the application, submitted by Natives of Akhiok, Inc., as amended, is properly filed and meets the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

This decision approves approximately 56,826 acres of national wildlife refuge lands for conveyance to Natives of Akhiok, Inc., for a cumulative total of approximately 56,826 acres. This does

not exceed the 69,120 acres permitted under section 12(a) (1).

In view of the foregoing, the surface estate of the following described lands, selected pursuant to section 12(a), aggregating approximately 58,609 acres, is considered proper for acquisition by Natives of Akhiok, Inc., and is hereby approved for conveyance pursuant to section 14(a) of the Alaska Native Claims Settlement Act:

Lands outside the Kodiak National Wildlife Refuge (PLO 1634). Lots 1 and 2, U.S. Survey No. 4657, Alaska, situated around the village of Akhiok, Kodiak Island, Alaska. Containing 472.12 acres.

Lot 1, Block 4, U.S. Survey No. 4926, Alaska, situated on Akhiok Bay, Kodiak Island, Alaska.

Containing 1.78 acres.
Aggregating 473.90 acres.

SEWARD MERIDIAN, ALASKA (UNSURVEYED)

T. 37 S., R. 31 W.

Sec. 14 (fractional), excluding U.S. Survey 2073;

Sec. 15 (fractional), that portion outside PLO 1634;

Sec. 22 (fractional), that portion outside PLO 1634 and excluding U.S. Survey 4657;

Sec. 23 (fractional), all;

Sec. 27 (fractional), excluding U.S. Survey 567, U.S. Survey 4657 and U.S. Survey 4926;

Sec. 32 (fractional), that portion outside PLO 1634;

Secs. 33 and 34 (fractional), all.

Containing approximately 1,309 acres.

Aggregated acreage outside PLO 1634, 1,782.90 acres.
Lands within the Kodiak National Wildlife Refuge (PLO 1634)

SEWARD MERIDIAN, ALASKA (UNSURVEYED)

T. 35 S., R. 30 W.

Secs. 2 and 3, all;

Secs. 7, 10 and 11, all;

Secs. 13, 14 and 15, all;

Secs. 18 to 24 (fractional), inclusive, all;

Sec. 25 (fractional), excluding U.S. Survey 1889;

Secs. 26, 29 and 30 (fractional), all;

Secs. 32 to 35 (fractional, inclusive, all.

Containing approximately 9,855 acres.

T. 36 S., R. 30 W.

Sec. 3, all;

Secs. 4, 5 and 6 (fractional), all;

Sec. 7 (fractional), excluding U.S. Survey 1890;

Sec. 8 (fractional), all;

Secs. 9 and 16, all;

Secs. 17 to 20 (fractional), inclusive, all;

Sec. 21, all;

Secs. 29, 30 and 31 (fractional), all;

Sec. 32, all.

Containing approximately 8,314 acres.

T. 36 S., R. 31 W.

Secs. 4, 6 and 7, all;

Secs. 9 to 12, inclusive, all;

Secs. 15 to 23, inclusive, all;

Secs. 26, 28, 29 and 32, all.

Containing approximately 12,776 acres.

T. 37 S., R. 31 W.

Sec. 1, all;

Sec. 2 (fractional), all;

Sec. 3 (fractional), excluding U.S. Survey 1224, U.S. Survey 1975 and U.S. Survey 1976;

Sec. 4 (fractional), excluding U.S. Survey 50 and Native allotment AA-7432;

Sec. 5, excluding Native allotment AA-7432;

Secs. 6, 7 and 8, all;

Secs. 9 to 12 (fractional), inclusive, all;

Sec. 13 (fractional), excluding U.S. Survey 1845 and U.S. Survey 2073;

Sec. 15 (fractional), that portion within PLO 1634;

Secs. 16 to 20, inclusive, all;

Sec. 21, excluding U.S. Survey 4657;

Sec. 22 (fractional), that portion within PLO 1634 and excluding U.S. Survey 4657;

Sec. 28 (fractional), excluding U.S. Survey 567, U.S. Survey 4926 and U.S. Survey 4657;

Sec. 29 (fractional), excluding U.S. Survey 4657 and Native allotment AA-7431;

Sec. 30 (fractional), excluding Native allotment AA-7431;

Sec. 31 (fractional), all;

Sec. 32 (fractional), that portion within PLO 1634.

Containing approximately 11,174 acres.

T. 36 S., R. 32 W.

Sec. 1, all;

Secs. 2, 10 and 11 (fractional), all;

Secs. 12, 13 and 14, all;

Sec. 15 (fractional), excluding U.S. Survey 174, U.S. Survey 1578 and U.S. Survey 1579;

Secs. 16, 17 and 18 (fractional), all;

Secs. 19 to 24, inclusive, all.

Containing approximately 8,442 acres.

T. 37 S., R. 32 W.

Secs. 1, 12, 13 and 14, all;

Secs. 15, 22 and 23 (fractional), all;

Sec. 24, all;

Secs. 25, 26, 27 and 36 (fractional), all;

Containing approximately 6,265 acres.

Aggregated acreage within PLO 1634, approximately 56,826 acres. The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, as prescribed and directed by the act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945;

2. A right-of-way thereon for the construction of railroads, telegraph, and telephone lines, as prescribed and directed by the act of March 12, 1914, 38 Stat. 305, 43 U.S.C. 975d;

3. Those rights for water pipeline purposes as have been granted to CWC Fisheries, Inc., its successors or assigns, by right-of-way A-053899, located in sections 23 and 26, T. 36 S., R. 31 W., Seward Meridian, under the act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959);

4. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f) (Supp. V, 1975)); and

5. Pursuant to section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b) (Supp. V, 1975)), the following public easements, referenced by easement identification number (EIN) on the easement maps in case file AA-6646-EE, are reserved to the United States and subject to further regulation thereby:

(a) (6 C6, D9, L) An easement for an existing access trail fifty (50) feet in width from Olga Bay paralleling the left Bank of Dog Salmon Creek northerly to Frazer Lake and public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(b) (6a C6, D9, L) A one (1) acre site easement upland of the mean high tide line in section 22, T. 35 S., R. 30 W., Seward Meridian, on Dog Salmon Creek at the head

of trail EIN 6 C6, D9, L on Olga Bay. The site is for camping, staging and vehicle use.

(e) (6b C6, D9, L) An easement for a proposed access trail twenty-five (25) feet in width from existing trail EIN 6 C6, D9, L near the southern border of section 11, T. 35 S., R. 30 W., Seward Meridian, easterly to public lands and westerly to Dog Salmon Creek. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(d) (10 C6, D9, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of Olga Creek from Olga Bay easterly to lower South Olga Lake. Purpose is to provide for public use of waters having highly significant present recreational use.

(e) (17 L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of Dog Salmon Creek from Olga Bay northerly through the village selection to public lands. Purpose is to provide for public use of waters having highly significant present recreational use.

(f) (20 D9, C6, L) A fishery management and public use easement upland of the ordinary high water mark in section 14, T. 36 S., R. 32 W., Seward Meridian, on the right side of Olga Creek near the outlet of lower South Olga Lake. The easement is two and one-half (2½) acres in size with an additional twenty-five (25) foot wide extension on the bed of the creek along the entire waterfront of the easement. The easement is used for camping, vehicle use, and for fishery management purposes.

(g) (22 D9, C6, L) A fishery management and public use easement upland of the ordinary high water mark in section 14, T. 36 S., R. 32 W., Seward Meridian, on the left side of Olga Creek near the outlet of lower South Olga Lake. The easement is two and one-half (2½) acres in size with an additional twenty-five (25) foot wide extension on the bed of the creek along the entire waterfront of the easement. The easement is used for camping, vehicle use and for fishery management purposes.

(h) (23 D9) An easement for a proposed access trail twenty-five (25) feet in width from EIN 24 D9 northerly and southerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(i) (23a D9) An easement for a proposed access trail twenty-five (25) feet in width from upper South Olga Lake paralleling an unnamed stream northwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(j) (24 D9) A fishery management and public use easement upland of the ordinary high water mark in sections 18 and/or 19, T. 36 S., R. 31 W., Seward Meridian, at the mouth of Olga Creek on lower South Olga Lake. The easement is one (1) acre in size with an additional twenty-five (25) foot wide extension on the bed of the lake along the entire waterfront of the easement. The easement is used for camping, vehicle use, staging and for fishery management purposes.

(k) (25 C6, D9, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of Olga Creek from upper South Olga Lake to lower South Olga Lake. Purpose is to provide for public use of waters having highly significant present recreational use.

(l) (26 C6, D9, L) A site easement upland of the ordinary high water mark in section

17, T. 36 S., R. 31 W., Seward Meridian on Olga Creek at the outlet of upper South Olga Lake. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.

(m) (27 D9) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 26 C6, D9, L southeasterly to isolated public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(n) (28 D9) A site easement upland of the ordinary high water mark in section 12, T. 36 S., R. 31 W., Seward Meridian, at the head of upper South Olga Lake. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.

(o) (28a D9) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 28 D9 northerly and southerly to isolated public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(p) (29 D9) An easement for a proposed access trail twenty-five (25) feet in width from the Olga Narrows and site EIN 29a D9 easterly to isolated public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(q) (29a D9) A one (1) acre site easement upland of the mean high tide line in section 17, T. 36 S., R. 30 W., Seward Meridian, at the head of trail EIN 29 D9 on the Olga Narrows. The site is for camping, staging and vehicle use.

(r) (30 C5, D9) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

(s) (37 C4) An easement for a proposed access trail twenty-five (25) feet in width from Moser Bay and site EIN 37a C4 paralleling an unnamed creek easterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(t) (37a C4) A one (1) acre site easement upland of the mean high tide line in section 29, T. 36 S., R. 30 W., Seward Meridian, at the head of trail EIN 37 C4 on the east side of Moser Bay. The site is for camping, staging, and vehicle use.

(u) (39 C5, C6, D1, D9) An easement for a proposed access trail twenty-five (25) feet in width from Snug Cove northerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

(v) (42 C5, C6, D1, D9) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water

mark on all banks and an easement on the entire bed of Moser Creek from Chip Cove northwesterly to Moser Lake. Purpose is to provide for public use of waters having highly significant present recreational use.

(w) (42a C5, C6, D1, D9) A site easement upland of the ordinary high water mark in sections 23 and 26, T. 36 S., R. 31 W., Seward Meridian, centered on the east end of Moser Lake. The site is twenty-five by one thousand (25 x 1,000) feet in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for vehicle use and recreational access to public waters and resources.

(x) (43 C) The right of the United States to enter upon the lands hereinabove granted for cadastral, geodetic, or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.

(y) (44e E) An easement for a proposed access trail twenty-five (25) feet in width from Olga Bay across the southwest corner of section 25, T. 35 S., R. 30 W., Seward Meridian, southeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

The grant of lands shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g) (1970))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him;

3. Airport lease AA-9460, containing approximately 50.41 acres, located within lot 2, of U.S. Survey No. 4657, Alaska, issued to the State of Alaska, Division of Aviation, under the provisions of the act of May 24, 1928 (45 Stat. 728-729; 49 U.S.C. 211-214 (1970));

4. The following third-party interest created and identified by the Kodiak National Wildlife Refuge, as provided by section 14(g) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(g) (Supp. V. 1975)).

(a) Special use permit—(1) Permit No. 32971C-77 to Lawrence O. Tallison located at Dog Salmon, 2 miles west of Horse Marine Lagoon at approximately 153°59'50" W. longitude and 57°07'24" N. latitude. This permit expires on December 31, 1977.

5. Requirements of section 22(g) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 714; 43 U.S.C. 1601, 1621(g) (Supp. V. 1975)), that (a) the portion of the above described lands, which has been withdrawn by PLO 1634, on May 9, 1958, and is now a part of the Kodiak National Wildlife Refuge, remains subject to the laws and regulations governing use and development of such Refuge, and that (b) the United States reserve from the conveyance the right of first refusal if the said portion of land in such Refuge, or any part thereof, is ever sold by the above named village corporation;

6. Requirements of section 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c) (Supp. V. 1975)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section; and

7. The terms and conditions of the agreement dated November 12, 1976, between the Secretary of the Interior, Koniag, Inc., Natives of Akhiok, Inc., and other Koniag village corporations. A copy of the agreement shall be attached to and become a part of the conveyance document and shall be recorded therewith. A copy of the agreement is located in the Bureau of Land Management easement case file for Natives of Akhiok, Inc., serialized AA-6646-EE. Any person wishing to examine this agreement may do so at the Bureau of Land Management, Alaska State Office, 555 Cordova Street, Anchorage, Alaska 99501.

Natives of Akhiok, Inc. is entitled to conveyance of 92,160 acres of land selected pursuant to section 12(a) of the Alaska Native Claims Settlement Act; to date, 58,609 acres of this entitlement have been approved for conveyance. The remaining entitlement will be conveyed at a later date. Conveyance to the subsurface estate of the lands described above, excluding those lands which have been withdrawn by PLO 1634 and which are reserved thereby as a national wildlife refuge, will be granted to Koniag, Inc. at the same time conveyance is granted to Natives of Akhiok, Inc. for the surface estate and shall be subject to the same conditions as the surface conveyance. Section 12(a)(1) provides that when a village corporation selects the surface estate of lands within the national wildlife refuge system, the regional corporation may make selections of the subsurface estate, in an equal acreage, from other lands withdrawn by section 11(a) within the region.

There are no inland water bodies considered to be navigable within the lands described.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the *FEDERAL REGISTER* and once a week, for four (4) consecutive weeks, in the *Anchorage Times* and in the *Kodiak Mirror*. Any party claiming a property interest in lands affected by this decision may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510 with a copy served upon both the Bureau of Land Management, Alaska State Office, 555 Cordova Street, Anchorage, Alaska 99501 and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501, also:

1. Any party receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign the return receipt shall have until December 19, 1977, to file an appeal.

3. Any party known or unknown who may claim a property interest which is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

4. If Natives of Akhiok, Inc. or Koniag, Inc. object to any easement which

is identified herein for reservation in the conveyance, which is subject to the discretion of the State Director and not reserved pursuant to an express Secretarial directive, a petition for reconsideration must be filed within 30 days from receipt of service with the State Director, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501. A copy of the petition should be served upon the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501. If a petition for reconsideration is not filed it will be deemed that the right to contest any such easement has been waived.

If an appeal is taken, the adverse parties to be served with a copy of the notice of appeal are:

Natives of Akhiok, Inc., P.O. Box 2071, Akhiok, Alaska 99615.

Koniag, Inc., P.O. Box 746, Kodiak, Alaska 99615.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of, and requirements for, filing an appeal may be obtained from the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

SUE A. WOLF,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.77-33221 Filed 11-16-77;8:45 am]

[4310-84]

[Serial No. AR 017080]

ARIZONA Application

NOVEMBER 10, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Four Corners Pipe Line Co., 515 South Flower Street, Room 3214, Los Angeles, Calif. 90071, has applied for a booster pump station site on the following described land:

T. 20 N., R. 17 W., GSR Mer., Arizona Sec. 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The booster pump station site will occupy approximately 2 acres of public land in Mohave County, Ariz.

The purposes 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, Phoenix District, Bureau of Land Management, 2929 West Clarendon, Phoenix, Ariz. 85017.

MILDRED C. KOZLOW,
Acting Chief, Branch of Lands
and Minerals Operations.

[FR Doc.77-33194 Filed 11-16-77;8:45 am]

[4310-84]

Bureau of Land Management FEDERAL COAL LEASING PROGRAM Request for Public Comment

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Notice of request for public comment.

SUMMARY: The public is requested to comment on the final environmental impact statement (EIS) on the Proposed Federal Coal Leasing Program (FES 75-80) that was originally filed with the Council on Environmental Quality on September 19, 1975. These comments are requested to comply with an order given by the District Court for the District of Columbia which concluded that the final EIS on the Federal coal program was inadequate. After comments have been received, a new draft supplement to the final coal programmatic EIS will be published.

DATE: Comments must be received on or before January 31, 1978.

ADDRESS: Director (731), Bureau of Land Management, Department of the Interior, 18th and C Streets NW., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT:

Bruce A. Powers, Bureau of Land Management (731), 18th and C Streets NW., Washington, D.C. 20240, 202-343-7180.

SUPPLEMENTARY INFORMATION: The Department of the Interior hereby requests the public to comment on the final environmental impact statement (EIS) on the Proposed Federal Coal Leasing Program (FES 75-80) which was originally filed with the Council on Environmental Quality on September 19, 1975. Comments must be submitted by January 31, 1978, to the Director (731), Bureau of Land Management, Department of the Interior, 18th and C Streets NW., Washington, D.C. 20240.

The Department is requesting these comments in compliance with an order given September 27, 1977, by the U.S. District Court for the District of Columbia on the case *Natural Resources Defense Council v. Royston B. Hughes*, Civil Action No. 75-1749, whereby the Court ruled that the final EIS filed in 1975 on the Federal coal program was inadequate. Several inadequacies were cited, including (1) the description of the proposal in the final EIS was insufficient to allow informed comment, (2) the alternatives to a new Federal coal leasing program were inadequately presented, and (3) the need for new Federal leasing was not properly analyzed. The Court ordered the Department to remedy these inadequacies by asking for comments on the final EIS.

While the Department requests comments on the entire final coal program-

matic EIS, public comment should be focused on the following questions: (1) Is there a need for renewed Federal coal leasing? (2) If there is a need, how should the program be defined? (3) If new Federal leasing should be undertaken, how would different types of Federal leasing systems affect the environment? Commenters should compare the Energy Minerals Activity Recommendation System (EMARS) leasing system, 42 FR 25471, Title 43 CFR, Subpart 3525, with the Federal Coal Leasing Amendments Act of 1975, 90 Stat. 1083; 30 U.S.C. 181 et seq., and indicate what other leasing systems they feel are compatible with that Act.

After comments have been received from the public, the Department will prepare and publish a draft supplement to the final coal programmatic EIS which will discuss whether a new coal leasing program should be undertaken and, if such a program is found to be necessary, what types of leasing systems could be utilized. The supplement will respond to the significant issues raised in the comments received, including previous comments received on the earlier draft and final coal programmatic EIS's. The draft supplement will specifically propose policies and procedures for government management of the Federal coal program in an environmentally sound manner. The draft supplement will be made available to the public, as announced in the FEDERAL REGISTER, and public hearings will be held and comments will be received for at least 45 days after the notice of the release of the supplement.

Thereafter, the Department will prepare a new final coal programmatic EIS that combines and integrates the material in the draft supplement with the final EIS previously released in September 1975, and which fully responds to the comments received on the draft supplement. After the new final EIS has been made available to the public, and is on file with the Council on Environmental Quality for at least 30 days, the Secretary of the Interior will personally re-evaluate the Federal coal management policy based on the information contained in the new final EIS, and shall adopt a new Federal coal management policy.

Single copies of the final coal programmatic EIS are available from the Bureau of Land Management (731), Department of the Interior, 18th and C Streets NW., Washington, D.C. 20240. Copies of the final EIS are available for review at the Bureau of Land Management State Offices as well as selected libraries throughout the Nation designated as depositories for government publications. Copies of the EIS are being sent to those who, as our records indicate, previously commented on the draft or final Federal coal leasing programmatic EIS, including Federal agencies,

and States through the OMB Circular A-95 State Clearinghouse process.

GEORGE L. TURCOTT,
Acting Director, Bureau of
Land Management.

Approved:

GUY R. MARTIN,
Assistant Secretary of
the Interior.

NOVEMBER 10, 1977.

[FR Doc.77-33179 Filed 11-16-77;8:45 am]

[4310-84]

[MN 32055]

Bureau of Land Management
NEW MEXICO

Notice of Application

NOVEMBER 9, 1977.

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), Natural Gas Pipeline Co. of America has applied for a compressor site and related facilities right-of-way across the following land:

New Mexico Principal Meridian, New Mexico
T. 24 S., R. 26 E.,
Sec. 25, NW¼SE¼.

The site will be used in connection with natural gas operations across 1.377 acres of public land in Eddy County, N. Mex.

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, N. Mex. 88201.

PAUL E. MARTINEZ,
Acting Chief, Branch of
Lands and Minerals Operations.

[FR Doc.77-33229 Filed 11-16-77;8:45 am]

[4310-84]

[Colorado 25379L]

NORTHWEST PIPELINE CORP.

Notice of R/W Application for a Meter
Station Site

NOVEMBER 8, 1977.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corp., 315 East 200 South, Salt Lake City, Utah 84111, has applied for a right of way for a Lateral No. 1-3 Purchase Meter Station for East Douglas Creek Gathering System, across the following Public Lands:

SIXTH PRINCIPAL MERIDIAN, RIO BLANCO
COUNTY, COLO.

T. 3 S., R. 101 W.,
Sec. 1: Lot 6.

The Purchase Meter Station is necessary to monitor the East Douglas Creek Gathering System collection and conveyance of Natural Gas.

The purposes for this notice are: (1) to inform the public that the Bureau of Land Management is proceeding with the preparation of environmental and other analytic reports, necessary for determining whether or not the application should be approved and if approved, under what terms and conditions, (2) to give all interested parties the opportunity to comment on the application, (3) to allow any party asserting a claim to the lands involved or having bona fide objections to file its claim or objections in the Colorado State Office. Any party so filing must include evidence that a copy thereof has been served on Northwest Pipeline Corp.

Any comment, claim, or objections must be filed with the Chief, Branch of Adjudication, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202, as promptly as possible after publication of this notice.

ANDREW W. HEARD, JR.,
Team Leader,
Craig Branch of Adjudication.

[FR Doc.77-33224 Filed 11-16-77;8:45 am]

[4310-84]

[Colorado 24128 E]

NORTHWEST PIPELINE CORP.

Notice of Pipeline Applications

NOVEMBER 10, 1977.

Pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corp., P.O. Box 1526, Salt Lake City, Utah 84110, has applied for rights-of-way for natural gas pipeline additions for the Philadelphia Creek Gathering System in Rio Blanco County, Colo.

The above-named system will cover less than one mile of additional 4½" o.d. natural gas pipeline across the following public land:

6TH P.M.,
RIO BLANCO COUNTY
T. 2 S., R. 101 W.,
Sec. 10, NW¼SW¼.

The above-named system will enable the applicant to expand its natural gas gathering and transportation systems and thereby meet the needs of its customers.

The purpose of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other

analyses necessary for determining whether the applications should or should not be approved and, if so, under what terms and conditions; to allow all parties asserting claims to the lands or having bona fide objections to the proposed natural gas pipeline rights-of-way to file their claims and/or objections in this office. All comments, claims, and objections must be identified with the specific lands involved by Township and Range and portions thereof along with the name and number of this right-of-way. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant. Any comment, claim, or objections must be filed with the Chief, Branch of Adjudication, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202, as promptly as possible after publication of this notice.

ANDREW W. HEARD, Jr.,
Leader, Craig Team,
Branch of Adjudication.

[FR Doc.77-33225 Filed 11-16-77;8:45 am]

[4310-84]

[Colorado 25122-K, L, M and O]

NORTHWEST PIPELINE CORP.

Notice of R/W Application for Pipeline

NOVEMBER 10, 1977.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corp., 315 East 200 South, Salt Lake City, Utah 84111, has applied for a right-of-way for a 4½" o.d. natural gas pipeline for an addition to Foundation Creek Gathering System approximately 7 miles long, across the following public lands:

SIXTH PRINCIPAL MERIDIAN, RIO BLANCO COUNTY, COLO.

- T. 4 S., R. 102 W.,
Sec. 20, S½, W½NE¼, SE¼NW¼;
Sec. 22, SW¼, S½NW¼, W½SE¼;
Sec. 26, NW¼SE¼;
Sec. 27, NW¼NE¼, E½W½;
Sec. 29, W½NW¼;
Sec. 30, SE¼NE¼, S½SE¼, NE¼SE¼;
Sec. 31, W½E½.
T. 5 S., R. 102 W.,
Sec. 19, SE¼SE¼;
Sec. 20, SW¼SW¼;
Sec. 29, NW¼NW¼, S½NW¼.

The above-named gathering system addition will enable the applicant to expand its natural gas gathering in the area.

The purposes for this notice are: (1) To inform the public that the Bureau of Land Management is proceeding with the preparation of environmental and other analytic reports, necessary for determining whether or not the application should be approved and if approved, under what terms and conditions, (2) to give all interested parties the opportunity to comment on the application, (3) to allow any party asserting a claim to

the lands involved or having bona fide objections to the proposed natural gas gathering system to file its claim or objections in the Colorado State Office. Any party so filing must include evidence that a copy thereof has been served on Northwest Pipeline Corp. Any comment, claim, or objections must be filed with the Chief, Branch of Adjudication, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202, as promptly as possible after publication of this notice.

ANDREW W. HEARD, Jr.,
Leader, Craig Team,
Branch of Adjudication.

[FR Doc.77-33226 Filed 11-16-77;8:45 am]

[4310-84]

[Colorado 25122 Q]

NORTHWEST PIPELINE CORP.

Notice of Pipeline Applications

NOVEMBER 10, 1977.

Pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corp., P.O. Box 1526, Salt Lake City, Utah 84110, has applied for a right-of-way for natural gas pipeline addition to the Foundation Creek Gathering System in Rio Blanco County, Colo.

The above-named addition is comprised of 0.885 mile of 4½" o.d. and 6½" o.d. natural gas pipelines across the following public lands:

RIO BLANCO COUNTY

- T. 3 S., R. 103 W., 6th P.M.,
Sec. 27, SW¼NW¼, NW¼SW¼;
Sec. 28, S½NE¼, NE¼SE¼.

The above-named system will enable the applicant to expand its natural gas gathering and transportation systems and thereby meet the demands of its customers.

The purposes of this notice are: To inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the applications should or should not be approved and, if so, under what terms and conditions; to allow all parties asserting claims to the lands or having bona fide objections to the proposed natural gas pipeline rights-of-way to file their claims and/or objections in this office. All comments, claims, and objections must be identified with the specific lands involved by Township and Range and portions thereof along with name and number of this right-of-way.

Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant. Any comment, claim, or objections must be filed with the Chief, Branch of Adjudication, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broad-

way, Denver, Colo. 80202, as promptly as possible after publication of this notice.

ANDREW W. HEARD, Jr.,
Leader, Craig Team,
Branch of Adjudication.

[FR Doc.77-33227 Filed 11-16-77;8:45 am]

[4310-84]

[Colorado 23734 A-I]

NORTHWEST PIPELINE CORP.

Notice of Pipeline Applications

NOVEMBER 10, 1977.

Pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corporation, P.O. Box 1526, Salt Lake City, Utah 84110, has applied for rights-of-way for natural gas pipelines for the North Douglas Creek Gathering System in Rio Blanco County, Colo.

The above-named system is comprised of over 25 miles of natural gas pipelines of various sizes, ranging from 4½" o.d. to 12½" o.d., across the following public lands:

SIXTH PRINCIPAL MERIDIAN, RIO BLANCO COUNTY, COLO.

- T. 1 S., R. 101 W.,
Sec. 19, W½E½, SE¼NW¼, N½SW¼ and E½SE¼;
Sec. 20, W½SW¼;
Sec. 29, SW¼NE¼, E½W½, W½SE¼, SE¼SE¼;
Sec. 30, W½E½, E½W½, SW¼NW¼, W½SW¼, NE¼SE¼;
Sec. 31, E½E½, NW¼NE¼, W½;
Sec. 32, W½E½, E½NW¼, NW¼SW¼, NE¼SE¼.
T. 2 S., R. 101 W.,
Sec. 1, lot 7, SW¼NW¼, NW¼SW¼;
Sec. 2, E½SE¼;
Sec. 5, lots 6 and 7, SW¼NE¼, SE¼NW¼, N½SW¼, SW¼SW¼;
Sec. 6, lot 13, E½E½, SW¼NE¼, W½, NW¼SE¼;
Sec. 7, N½, NE¼SW¼, W½SE¼, SE¼SE¼;
Sec. 8, S½NW¼, W½SW¼;
Sec. 11, E½, S½NW¼;
Sec. 12, W½NW¼, N½SW¼;
Sec. 14, NE¼, N½SE¼;
Sec. 36, SE¼SW¼, W½SE¼, NE¼SE¼.
T. 1 S., R. 102 W.,
Sec. 13, W½SW¼;
Sec. 16, SE¼SE¼;
Sec. 21, NE¼NE¼, W½NE¼, E½SW¼, NW¼SE¼;
Sec. 23, E½NE¼, SE¼SE¼;
Sec. 24, SE¼NE¼, W½W½, NE¼SW¼, N½SE¼;
Sec. 26, NE¼NE¼, W½NE¼, SE¼NW¼, SW¼;
Sec. 27, S½N½, NE¼SE¼;
Sec. 28, NW¼NE¼, N½NW¼, S½N½;
Sec. 29, SE¼NE¼, S½S½, N½SE¼;
Sec. 30, S½SE¼;
Sec. 31, lots 6 and 7, N½NE¼, E½NW¼;
Sec. 32, NW¼NW¼;
Sec. 34, SE¼NE¼, S½SE¼, NE¼SE¼.
T. 2 S., R. 102 W.,
Sec. 3, lot 6;
Sec. 6, lot 14, SE¼SW¼, SE¼SE¼;
Sec. 7, lot 5, NE¼NE¼, S½NE¼, E½NW¼, N½SE¼;
Sec. 12, NE¼NE¼.
T. 1 S., R. 103 W.,
Sec. 28, NW¼NE¼, NE¼NW¼, S½N½;
Sec. 36, E½SE¼;

T. 2 S., R. 103 W.,
 Sec. 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 2, S $\frac{1}{2}$ SE $\frac{1}{4}$.

The above-named system will enable the applicant to expand its natural gas gathering and transportation systems and thereby meet the demands of its customers. The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the applications should or should not be approved and, if so, under what terms and conditions; to allow all parties asserting claims to the lands or having bona fide objections to the proposed natural gas pipeline rights-of-way to file their claims and/or objections in this office. All comments, claims and objections must be identified with the specific lands involved by Township and Range and portions thereof along with name and number of this right-of-way.

Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant, Northwest Pipeline Corporation.

Any comment, claim, or objections must be filed with the Chief Branch of Adjudication, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, as promptly as possible after publication of this notice.

ANDREW W. HEARD, JR.,
 Leader, Craig Team,
 Branch of Adjudication.

[FR Doc.77-33228 Filed 11-16-77;8:45 am]

[4310-84]

[U-38287]

UTAH

Proposed Withdrawal and Reservation of Lands

NOVEMBER 10, 1977.

The Bureau of Reclamation, Department of Interior, has filed application, Serial No. U-38287, for the withdrawal of 1,112.35 acres of Public Land in the Ashley National Forest from settlement, sale, location, or entry, under all of the general land laws, including the mining laws, 30 U.S.C., Ch. 2, but not from leasing under the mineral leasing laws subject to valid existing rights.

The Bureau of Reclamation desires this land for construction, operation and maintenance of the Whiterocks Dam and related features, and for recreation purposes in connection with the Uintah Unit, Central Utah Project, Utah.

On or before November 30, 1977, 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.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of

1976, notice is hereby given that an opportunity for a public hearing is afforded. All interested persons who desire to be heard on the proposed withdrawal must submit a written request for a hearing to the State Director, Bureau of Land Management, at the address shown below, by November 30, 1977. Upon determination by the State Director that a public hearing will be held, the time and place will be announced.

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

The authorized office will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

For a period of two years from the date of publication of this notice in the FEDERAL REGISTER, the lands will be segregated from entry as specified above unless the application is rejected or the withdrawal is approved prior to that date. If the withdrawal is approved by the Secretary, it will be for an indefinite period, and the lands will remain segregated.

UINTAH MERIDIAN, UTAH

T. 2 N., R. 1 E.,
 Sec. 6, lots 3 and 4, W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$
 W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 7, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
 NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 3 N., R. 1 E.,
 Sec. 31, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$
 SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 2 N., R. 1 W.,
 Sec. 1, lots 1 and 2, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$
 SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$
 NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 3 N., R. 1 W.,
 Sec. 36, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$
 NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$
 NE $\frac{1}{4}$, SE $\frac{1}{4}$.

Containing 1,112.35 acres in Uintah County.

All communications in connection with this withdrawal should be addressed to the State Director, Bureau of Land Management, Department of the Interior, Utah State Office, University Club Build-

ing, 136 East South Temple, Salt Lake City, Utah 84111.

WILLIAM G. LEAVELL,
 Associate State Director,

[FR Doc.77-33195 Filed 11-16-77;8:45 am]

[Wyoming 61484]

WYOMING

Application

NOVEMBER 9, 1977.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Kansas-Nebraska Natural Gas Co., Inc. of Hastings, Nebr. filed an application for a right-of-way to construct a eight and five eighths inch O. D. steel natural gas pipeline for the purpose of transporting natural gas across the following described public lands.

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 38 N., R. 90 W.,
 Secs. 5, 6 and 8.

The pipeline will transport natural gas from a point in Section 6, T. 38 N., R. 90 W. to a point in Section 9, T. 33 N., R. 90 W., Fremont County, Wyo.

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 do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, P.O. Box 670, Rawlins, Wyo. 82301.

LARRY L. STEWARD,
 Acting Chief, Branch of Lands
 and Minerals Operations.

[FR Doc.77-33191 Filed 11-16-77;8:45 am]

[4310-70]

Fish and Wildlife Service National Park Service

LAVA BEDS NATIONAL MONUMENT AND LOWER KLAMATH AND TULE LAKE NATIONAL WILDLIFE REFUGES, CALIF.

Negative Declaration

In compliance with the National Environmental Policy Act of 1969, the National Park Service has prepared an environmental assessment on a Visitor Use and General Development Plan for Lava Beds National Monument and the Lower Klamath and Tule Lake National Wildlife Refuges, Calif. After making an environmental review of the assessment, the National Park Service and the U.S. Fish and Wildlife Service have decided not to prepare an environmental statement.

The assessment considers the nature of the resources, available alternatives, their impacts and probable effects on planning goals, potential compatibility of alternatives, and additional considerations that provide a basis for the conclusion that an environmental statement

is not needed. Comments on the proposed action, the environmental assessment, or the environmental review should be submitted in writing to one of the regional directors listed above during the 30-day review period. The environmental review and assessment are on file and available upon request at the above National Monument and National Wildlife Refuges at Tulelake, Calif., and at the respective regional offices indicated above.

The National Park Service and the U.S. Fish and Wildlife Service will proceed to implement the plan at the end of the 30-day review period.

Dated: March 20, 1977.

Approved:

RUSSELL E. DICKENSON,
Regional Director,
National Park Service.

Dated: March 16, 1977.

Approved:

WILLIAM H. MEYER,
Acting Regional Director,
U.S. Fish and Wildlife Service.

[FR Doc.77-33305 Filed 11-16-77;8:45 am]

assistant may execute and approve contracts not in excess of \$10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds.

SEC. 2. *Redelegation.* The authority delegated in this Order No. 3 may not be redelegated.

SEC. 3. *Revocation.* This order supercedes Order No. 2 dated December 22, 1972, and published in 38 FR 4276, February 12, 1973.

(National Park Service Order No. 77 (38 FR 7478) as amended; Southeast Region Order No. 5 (37 FR 7721) as amended.)

Dated: September 16, 1977.

ANDREW M. LOVELESS,
Superintendent, Kings
Mountain National Military Park.

[FR Doc.77-33183 Filed 11-16-77;8:45 am]

[4310-70]

[Order No. 6, Amdt. No. 2]

FIELD LAND ACQUISITION OFFICERS Delegation of Authority Regarding Purchasing Authority

Order No. 6, approved February 25, 1977, and published in the FEDERAL REGISTER, May 17, 1977 (42 FR 25386), sets forth limitations on contracting and procurement authority. This amendment changes the delegated authority of Field Land Acquisition Officers (g):

(1) Approve and accept offers to sell to or exchange with the U.S. lands or interests in lands when the amount involved does not exceed \$250,000.

(National Park Service Order No. 77, 38 FR 7478, published March 22, 1973, as amended.)

Dated: October 11, 1977.

MERRILL D. BEAL,
Regional Director,
Midwest Region.

[FR Doc.77-33184 Filed 11-16-77;8:45 am]

[4310-70]

[Order No. 8, Amdt. 1]

MAMMOTH CAVE NATIONAL PARK Administrative Officer, Contract Specialist, and Purchasing Agent

Mammoth Cave National Park Order No. 8, dated March 1, 1977, and published in 42 FR 31500, June 21, 1977, is amended as follows:

SEC. 2. *Contract specialist.* The contract specialist may execute, approve, and administer contracts and issue purchase orders not in excess of \$100,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other federal agencies may exceed this amount.

SEC. 3. *Purchasing agent.* The purchasing agent may execute, approve, and

issue purchase orders not in excess of \$10,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds.

SEC. 4. *Redelegation.* The authority delegated in this Order No. 8 may not be redelegated.

SEC. 5. *Revocation.* This order supercedes Order No. 7 dated July 23, 1975 (40 FR 55372) and published November 28, 1975.

(National Park Service Order No. 77 (38 FR 7478) as amended; Southeast Region Order No. 5 (37 FR 7721) as amended.)

Dated: September 29, 1977.

ALBERT A. HAWKINS,
Superintendent,
Mammoth Cave National Park.

[FR Doc.77-33182 Filed 11-16-77;8:45 am]

[4310-70]

[Order No. 6]

SUPERINTENDENT, ET AL., SOUTHEAST REGION Delegation of Authority

SECTION 1. *Superintendents.* The National Park Service Superintendents of the Southeast Region, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director, Southeast Region, by the Director, National Park Service, except with respect to the following:

(a) Approval of master plans.
(b) Acceptance of an offer in settlement of a timber trespass unless: (1) the trespass is an innocent one, (2) the damages therefrom do not exceed \$5,000 and (3) payment of the full amount of the damages is offered.

(c) Sales of timber pursuant to the Federal Property and Administrative Services Act of 1949 and the Federal Property Management Regulations when the fair market value of the timber involved in any single transaction exceeds \$1,000.

(d) Approval of programs for destruction and disposition of wild animals which are damaging the land or its vegetative cover and of permits to collect rare or endangered species.

(e) Acceptance of donations of personal property valued in excess of \$10,000 and acceptance of donations of money in excess of \$10,000.

(f) Authority to designate areas at which recreation fees will be charged, as specified by sections 1, 2, and 3 of Executive Order 11200.

(g) Authority to select from the fees established by 43 CFR Part 18 (38 FR 3385), specific fees to be charged at the designated areas in accordance with sections 5(a) of Executive Order 11200.

(h) Authority to execute, approve, and administer contracts and to issue purchase orders for equipment, supplies, and services as follows:

[4310-70]

National Park Service

[Order No. 3]

ADMINISTRATIVE OFFICER, ET AL., DELAWARE WATER GAP NATIONAL RECREATION AREA, PA.

Delegation of Authority

SECTION 1. *Administrative officer.* The administrative officer may execute, approve and administer contracts not in excess of \$50,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds.

SEC. 2. *General supply specialist.* The general supply specialist may issue purchase orders not in excess of \$5,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds.

SEC. 3. *Revocation.* This order supercedes order No. 2 dated July 23, 1974, and published in 39 FR 32924 on September 12, 1974.

(National Park Service Order No. 77 (38 FR 7478) as amended; Mid-Atlantic Region Order No. 1 (39 FR 3694), as amended.)

Dated: August 25, 1977.

JAMES L. McLAUGHLIN,
Superintendent.

[FR Doc.77-33186 Filed 11-16-77;8:45 am]

[4310-70]

[Order No. 3]

ADMINISTRATIVE SERVICES ASSISTANT, KINGS MOUNTAIN NATIONAL MILITARY PARK

Delegation of Authority

SECTION 1. *Administrative services assistant.* The administrative services

(1) Superintendents, Blue Ridge Parkway, Everglades, and Great Smoky Mountains—not to exceed \$500,000;

(2) Superintendent, Natchez Trace Parkway—not to exceed \$200,000;

(3) Superintendents, Cape Hatteras, Gulf Islands, and Mammoth Cave—not to exceed \$100,000;

(4) Superintendents, Chickamauga and Chattanooga, Cumberland Gap, and Cumberland Island—not to exceed \$50,000;

(5) All other Superintendents—not to exceed \$10,000. The limitations in this paragraph (h) apply only to open market or nonmandatory sources of supply. Each office may continue to issue orders to GSA centers, sources under established Federal Supply Schedules of Contracts, and other Federal agencies in amounts exceeding \$10,000.

(i) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam.

(j) Authority to approve land acquisition priorities.

(k) Authority to execute the land acquisition program, including contracting for acquisition of lands and related property and options and offers to sell related thereto.

(l) Authority to issue revocable special use permits having a term of more than 20 years.

(m) Authority to hire, rent, or purchase personal property from employees.

(n) Authority to conduct archeological investigations and salvage activities.

Sec. 2. Delegation.

(a) *Associate Regional Director, Administration.* The Associate Regional Director, Administration, is authorized to exercise all the procurement and contracting authority now or hereafter vested in the Regional Director, Southeast Region, except authority relating to land acquisition as hereinafter delegated to Chief, Land Acquisition Division.

The Associate Regional Director, Administration, is authorized to approve the use of a government-owned or leased motor vehicle between domicile and place of employment for any office or area under the administration of the Southeast Region.

(b) *Chief, Contracting and Property Management Division.* The Chief, Contracting and Property Management Division, is authorized all the procurement and contracting authority now or hereafter vested in the Regional Director, Southeast Region, except authority relating to land acquisition as hereinafter delegated to Chief, Land Acquisition Division.

(c) *Assistant Chief, Contracting and Property Management Division.* The Assistant Chief, Contracting and Property Management Division, may execute and approve contracts not in excess of \$200,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated

funds. This authority may be exercised by the Assistant Chief in behalf of any area administered by the Chief, Contracting and Property Management Division.

(d) *Contract Specialist (Position No. 5064-04), Contracting and Property Management Division.* The Contract Specialist (Position No. 5064-04) may execute and approve contracts not in excess of \$200,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. This authority may be exercised by the Contract Specialist in behalf of any area administered by the Chief, Contracting and Property Management Division.

(e) *Contract Specialist (Position No. 5064-03), Contracting and Property Management Division.* The Contract Specialist (Position No. 5064-03) may execute and approve contracts not in excess of \$50,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. This authority may be exercised by the Contract Specialist in behalf of any area administered by the Chief, Contracting and Property Management Division.

(f) *Supervisory Contract Specialist, Contracting and Property Management Division.* The Supervisory Contract Specialist may execute and approve contracts not in excess of \$25,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. This authority may be exercised by the Supervisory Contract Specialist in behalf of any area administered by the Chief, Contracting and Property Management Division.

(g) *Procurement Clerk, Contracting and Property Management Division.* The Procurement Clerk may execute and approve contracts not in excess of \$10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. This authority may be exercised by the Procurement Clerk in behalf of any area administered by the Chief, Contracting and Property Management Division.

(h) *Chief, Land Acquisition Division.* The Chief, Land Acquisition Division is authorized to:

(1) Approve and accept offers to sell to or exchange with the U.S. lands or interests in lands and to execute all necessary agreements and conveyances incident thereto.

(2) Accept deeds conveying to the U.S. lands or interests in lands.

(3) Approve on behalf of the National Park Service, offers of settlement in condemnation cases.

(4) Approve claims for reimbursement under Pub. L. 91-646.

(i) *Field Land Acquisition Officers.* All Field Land Acquisition Officers are au-

thorized to exercise authority with respect to the following:

(1) Approve and accept offers to sell to or exchange with the United States lands or interests in lands when the amount involved does not exceed \$250,000.

(2) Accept deeds conveying to the U.S. lands or interests in lands.

(3) Approve claims for reimbursement under Pub. L. 91-646 when the amount involved does not exceed \$5,000.

(j) *Land Acquisition Officer, Big Cypress Land Acquisition Office.* The Land Acquisition Officer, Big Cypress Land Acquisition Office, may execute, approve, and administer contracts not in excess of \$2,500 for supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(k) *Chief, Purchasing Division, Big Cypress Land Acquisition Office.* The Chief, Purchasing Division, Big Cypress Land Acquisition Office, is authorized to approve and accept offers to sell to or exchange with the U.S. lands or interests in lands when the amount involved does not exceed \$100,000.

(l) *Chief, Relocation Division, Big Cypress Land Acquisition Office.* The Chief, Relocation Division, Big Cypress Land Acquisition Office, is authorized to approve claims for reimbursement under Pub. L. 91-646 when the amount involved does not exceed \$5,000.

(m) *Chief, Interagency Archeological Services, Atlanta Branch.* The Chief, Interagency Archeological Services, Atlanta Branch, is authorized to execute, approve, and administer contracts not in excess of \$100,000 for equipment, supplies, and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds.

(n) *Chief, Archeologist, Southeast Archeological Center.* The Chief Archeologist, Southeast Archeological Center, is authorized to execute, approve, and administer contracts and to issue purchase orders for equipment, supplies, and services not in excess of \$10,000.

Sec. 3. *Redelegation.* The authority delegated in this Order No. 6 may not be redelegated, except that a Superintendent may, in writing, redelegate to any officer or employee the authority delegated to him by this order and may authorize written redelegation of such authority. Each redelegation shall be published in the FEDERAL REGISTER.

Sec. 4. *Revocation.* This order supercedes Southeast Region Order No. 5 dated March 17, 1972, and published in 37 FR 7721, April 19, 1972, as amended.

(National Park Service Order No. 77 (38 FR 7478) published March 22, 1973, as amended.)

Dated: August 30, 1977.

DAVID D. THOMPSON, Jr.,
Regional Director,
Southeast Region.

[FR Doc. 77-33187 Filed 11-16-77; 8:45 am]

[4310-70]

WESTERN REGIONAL ADVISORY
COMMITTEE

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a public meeting of the Western Regional Advisory Committee will be held in San Francisco, Calif. The public meeting will be for one day beginning at 9 a.m. P.s.t. on December 10, 1977, in the Marine Room of the Travel Lodge at the Wharf, 250 Beach.

The purpose of the Western Regional Advisory Committee is to provide for the free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice or other counsel from members of the public on programs and problems pertinent to the Western Region of the National Park Service.

The members of the Advisory Committee are as follows: David W. Ballie, Jr., Waipahu, Hawaii; Lewis S. Eaton, Fresno, Calif. (Chairman); Ed Pike, Las Vegas, Nev.; Bernard Fontana, Tucson, Ariz.; Jean Ford, Las Vegas, Nev.; Todd Watkins, Bishop, Calif.

The following presentations will be made to the Committee for general discussion by the Committee and the public:

1. Status of past Committee recommendations;
2. Presentation by the Committee for the Immigrant Trail National Monument;
3. Update on the status of planning within the Western Region;
4. Update on the status of operational matters within the Western Region;
5. Election of Committee officers;
6. Selection of next meeting date and location.

The meeting will be open to the public. Any member of the public will also be able to file, with the Committee, a written statement concerning the matters to be discussed.

Minutes of this meeting will be available for public inspection four weeks after the meeting at the Western Regional Office, National Park Service, 450 Golden Gate Avenue, Box 36063, San Francisco, Calif. 94102.

Dated: November 3, 1977.

HOWARD H. CHAPMAN,
Regional Director
Western Region.

[FR Doc. 77-33185 Filed 11-16-77; 8:45 am]

[7020-02]

INTERNATIONAL TRADE
COMMISSION

[AA1921-173]

CERTAIN RAILWAY TRACK MAINTENANCE
EQUIPMENT FROM AUSTRIA

Determination of Injury

On August 11, 1977, the United States International Trade Commission received advice from the Department of the Treasury that railway track maintenance equipment from Austria is being,

or is likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 166(a)). Accordingly, on August 19, 1977, the Commission instituted investigation No. AA1921-173 under section 201(a) of said act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation and of the public hearing held in connection therewith was published in the FEDERAL REGISTER on August 25, 1977 (42 FR 42930). On August 6 and 7, 1977, a hearing was held in Washington, D.C., at which all interested parties were provided an opportunity to appear by counsel or in person.

In arriving at its determination, the Commission gave due consideration to all written submissions from interested parties and information adduced at the hearing as well as information obtained by the Commission's staff from questionnaires, personal interviews, and other sources.

On the basis of its investigation, the Commission has determined (Chairman Daniel Minchew and Commissioner Italo H. Ablondi dissenting and Commissioner Bill Alberger not participating) that an industry in the United States is being injured¹ by reason of the importation of certain railway track maintenance equipment, specifically, tampers and ballast regulators from Austria which are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

STATEMENT OF REASONS OF VICE CHAIRMAN
JOSEPH O. PARKER AND COMMISSIONERS
GEORGE M. MOORE AND CATHERINE
BEDELL

On August 11, 1977, the United States International Trade Commission received advice from the Department of the Treasury that railway track maintenance equipment from Austria is being, or is likely to be, sold in the United States at less than fair value (LTFV) within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 166(a)). Accordingly, on August 19, 1977, the Commission instituted investigation No. AA1921-173 under section 201(a) of said act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established,² by reason of the importation of such merchandise into the United States. Treasury's determination of sales at LTFV followed the reopening of an earlier antidumping investigation on railway track maintenance equipment from Austria which was discontinued in 1972

¹ Commissioner George M. Moore determined that an industry in the United States is being or is likely to be injured.

² Prevention of establishment of an industry is not an issue in this investigation and will not be discussed further.

after formal assurances were given by the manufacturer that no further sales would be made at LTFV.

In order to make an affirmative determination of injury in an antidumping investigation, it is necessary to find that an industry is being or is likely to be injured and that injury or likelihood thereof must be by reason of LTFV imports. The criterion of injury is satisfied if there is injury which is "more than frivolous, inconsequential, insignificant, or immaterial."³ The term "by reason of" expresses a causation linkage but does not mean that the LTFV imports must be a principal, major, or substantial cause of the injury or likelihood of injury.

DETERMINATION

On the basis of the information obtained in the investigation, we determine that an industry in the United States is being injured by reason of the importation of certain railway track maintenance equipment, specifically, tampers and ballast regulators from Austria which the Department of the Treasury has determined are being, or are likely to be, sold at LTFV.

THE IMPORTED ARTICLE AND THE DOMESTIC
INDUSTRY

The present investigation was instituted on the basis of information from the Department of the Treasury that "railway track maintenance equipment (RTME) from Austria is being, or is likely to be, sold at less than fair value * * *." However, the investigation by Treasury, on the basis of which this determination was made, and the information submitted by Treasury to the Commission for use in connection with this investigation were limited to two types of RTME: ballast regulators and tampers. In making our determination,

³ See U.S. Senate, *Trade Reform Act of 1974: Report of the Committee on Finance* . . . S. Rept. No. 93-1298 (93d Con., 2d sess.), p. 180. The report states:

"The term 'injury,' which is unqualified by adjectives such as 'material' or 'serious,' has been consistently interpreted by the Commission as being that degree of injury which the law will recognize and take into account. Obviously, the law will not recognize trifling, immaterial, insignificant or inconsequential injury. Immaterial injury connotes spiritual injury, which may exist inside of persons not industries. Injury must be a harm which is more than frivolous, inconsequential, insignificant, or immaterial.

"Moreover, the law does not contemplate that injury from less-than-fair-value imports be weighed against other factors which may be contributing to injury to an industry. The words 'by reason of' express a causation link but do not mean that dumped imports must be a (or the) principal cause, a (or the) major cause, or a (or the) substantial cause of injury caused by all factors contributing to overall injury to an industry.

"In short, the Committee does not view injury caused by unfair competition, such as dumping, to require as strong a causation link to imports as would be required for determining the existence of injury under fair trade conditions."

therefore, we have considered the effect of only the two types of LTFV imports which Treasury included within the scope of its investigation and the information submitted to the Commission. We have considered the domestic industry to consist of the facilities in the United States used in the production of ballast regulators and tampers. In 1976, four domestic firms produced ballast regulators, and three domestic firms produced tampers. Plasser, American Corp., a subsidiary of Plasser & Theurer, Linz, Austria, the manufacturer of the merchandise sold at LTFV, is one of the domestic firms producing tampers.

INJURY BY REASON OF LTFV IMPORTS

In recent years, Federal aid to the railroads combined with new Federal safety standards with respect to railway roadbeds has brought about a substantial increase in the demand for RTME. As a consequence of this increased demand, domestic manufacturers made substantial investments, increasing their capacity to produce all types of RTME. Aggregate U.S. production and shipments of all types of RTME and RTME parts increased annually during the period 1973-76. Apparent consumption of all types of RTME almost doubled in terms of value during the same period.

Unlike the trends in production and shipments of all types of RTME, those in production and shipments of ballast regulators and tampers declined sharply from 1974 to 1976, the year during which Treasury determined there were LTFV imports of the subject merchandise. Shipments of ballast regulators declined by 41 percent from 1975 to 1976, and shipments of tampers declined by 18 percent, falling almost to 1973 levels. Utilization of domestic capacity to produce both ballast regulators and tampers, which had been increased during the period 1973-76 in anticipation of increased demand, was substantially reduced in 1976 and was lower than in any other year during the period 1973-76.

In contrast, imports from Austria of both ballast regulators and tampers increased. Price comparisons made by Treasury for the period March 1, 1976, to December 31, 1976, revealed that 100 percent of the ballast regulators exported to the United States from Austria were sold at LTFV, with a weighted average margin of 33 percent. Price comparisons made for the same period on 80 percent of the tampers exported to the United States from Austria revealed that 25 percent were sold at LTFV, with a weighted average margin of 17 percent. In the 3 years prior to 1976, no Austrian-produced ballast regulators were marketed in the United States, but in 1976, the year in which Treasury determined there was LTFV pricing, imports of ballast regulators increased sharply and accounted for more than one-third of apparent domestic consumption. Imports of tampers from Austria approximately tripled from 1975 to 1976 as did their share of apparent domestic consumption. Thus, imports of both ballast regulators,

100 percent of which were sold at LTFV, and tampers, of which about 25 percent of those examined were sold at LTFV, significantly increased their penetration of the U.S. market from 1975 to 1976. During January-August 1977, imports of tampers and ballast regulators from Austria continued at the levels reported in 1976.

The increased penetration resulted in lost sales to the domestic industry. The Consolidated Rail Corp. (ConRail), Philadelphia, Pa., was the largest single domestic purchaser of both ballast regulators and tampers in 1976 and through August 1977. A large percentage of the machines purchased by ConRail during this period were from Austria.

A comparison of the prices at which a domestically produced and an imported ballast regulator were offered to domestic purchasers reveals that if the price of the LTFV imports had been adjusted to eliminate the average weighted dumping margin of 32 percent, the Austrian machines would not have been price competitive with U.S.-produced machines and some sales of the Austrian machines would not have been made.

Except for the models of ballast regulators referred to above, it is difficult to make comparisons between domestically produced and imported RTME because of the wide variations in the design and technical features of the various models. While it is also difficult to make definitive price comparisons, the Commission's investigation revealed that for models on which price comparisons could be made, LTFV prices enabled the imported product to penetrate the market during 1976, when Treasury found LTFV sales to be taking place. The investigation also revealed that the average weighted price of a leading model of a U.S.-produced tamper declined from 1975 to 1976. Similarly, available price data on a leading model of a U.S.-produced ballast regulator indicate that prices declined between 1975 and 1976. Thus, in 1976, during a period of rising costs, prices of domestic manufacturers were suppressed, increased penetration of the U.S. Market occurred, and sales were lost as a result of the lower prices at which imports of ballast regulators from Austria could be sold because of their LTFV prices.

CONCLUSION

On the basis of the considerations discussed above, we conclude that an industry in the United States is being injured by reason of the importation of tampers and ballast regulators from Austria sold at LTFV within the meaning of the Antidumping Act, 1921, as amended.

STATEMENT OF REASONS FOR NEGATIVE DETERMINATION OF CHAIRMAN DANIEL MINCHEW AND COMMISSIONER ITALO H. ABLONDI

On August 11, 1977, the United States International Trade Commission (Commission) received advice from the Department of the Treasury (Treasury)

that railway track maintenance equipment from Austria is being, or is likely to be, sold in the United States at less than fair value (LTFV) within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). Pursuant to this advice, on August 19, 1977, the Commission instituted investigation No. AA1921-173 under section 201(a) of said act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Before the Commission may find in the affirmative in these investigations, it is necessary that the following two conditions be met:

- (1) An industry in the United States is being or is likely to be injured, or is prevented from being established,¹ and
- (2) The requisite injury or likelihood of injury must be by reason of the importation into the United States of the merchandise which Treasury has determined is being, or is likely to be, sold at LTFV within the meaning of the Antidumping Act, 1921, as amended.

DETERMINATION

On the basis of the information obtained in the investigation, we have determined that an industry in the United States is not being and is not likely to be injured by reason of the importation of railway track maintenance equipment from Austria which is being, or is likely to be, sold at LTFV.

THE DOMESTIC INDUSTRY

In this investigation we have considered the relevant industry to consist of the facilities in the United States devoted to the production of railway track maintenance equipment (RTME). There are currently 11 firms in the United States producing such equipment.

NO INJURY OR LIKELIHOOD OF INJURY BY REASON OF LTFV IMPORTS FROM AUSTRIA

In this investigation, the information does not reveal that an industry in the United States is being or is likely to be injured. The value of U.S. producers' shipments of RTME and parts increased annually from \$50.6 million in 1973 to \$95.2 million in 1976, or by 89 percent. In January-August 1977, shipments continued to increase and were 41 percent above their level for the corresponding period of 1976. U.S. exports of RTME and parts exceeded total U.S. imports in each of the years 1973-76.

The average number of production and related workers engaged in the manufacture of RTME and parts increased from 1,074 in 1973 to 1,303 in 1976, or by 21 percent. In January-August 1977, the number of such workers reached its highest level in recent years, averaging 1,507 as compared to 1,261 during the corresponding period of 1976.

¹ Prevention of the establishment of an industry is not an issue in this investigation and will not be discussed further.

In addition to favorable trends in sales and employment, the increasing profitability of U.S. producers with regard to their RTME operations clearly indicates that the domestic industry has not suffered by reason of LTFV imports from Austria. U.S. producers' net operating profit increased from \$2.8 million, or 8 percent of net sales, in 1973 to a high of \$8.4 million, or 14 percent of net sales, in 1976, the year in which Treasury found sales at LTFV. These firms' net operating profits continued to increase in January-June 1977, when they totaled \$7.8 million, or 19 percent of net sales. It should be noted that the net operating profit recorded in the first half of 1977 significantly exceeded the full-year profits reported by U.S. producers in each of the years 1973-75.

U.S. purchasers of RTME and parts from Austria expressed to the Commission a preference for the Austrian products, citing such factors as the imports' quality, reliability, technical features, and performance characteristics. Customers indicated that these factors, and not always price, were considerations in their decisions to buy the Austrian product. Thus, any sales which U.S. producers may have lost to RTME imports from Austria may not be attributable solely to the LTFV margins that were applicable to those sales.

It is clear from the above considerations that the U.S. industry producing RTME has not suffered any injury by reason of LTFV sales within the meaning of the Act. It is even more clear that there is no likelihood of injury to the industry, U.S. producers have greatly expanded their capacity to produce RTME and are now in a position to capitalize on the very strong demand for this equipment in the U.S. market. Federal aid to railroads and new federal safety standards that call for upgrading roadways insure a continuation of the growing demand for RTME.

CONCLUSION

For the reasons stated above, we have concluded that an industry in the United States is not being injured and is not likely to be injured by reason of LTFV imports of railway track maintenance equipment from Austria.¹

¹ Chairman Minchew notes that in March 1972, Treasury discontinued an earlier anti-dumping investigation concerning the same articles and foreign manufacturer as in this case, having received formal assurances from the manufacturer that no future sales would be made at LTFV. As is its normal practice, Treasury monitored such imports following the discontinuance to insure that the assurances were being met. Evidence indicates, however, that when Treasury terminated its monitoring of such imports, the Austrian manufacturer renewed its selling at LTFV margins in clear violation of the assurances

Issued: November 14, 1977.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.77-33269 Filed 11-16-77; 8:45 am]

[4410-01]

DEPARTMENT OF JUSTICE

Attorney General

RALSTON PURINA CO.

Proposed Consent Decree (Federal Water Pollution Control Act)

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on November 2, 1977, a proposed consent decree in "United States v. Ralston Purina Company," No. CV-77-2083-R, was lodged with the United States District Court for the Central District of California. The proposed decree requires the company to direct its process wastewaters to the Terminal Island Treatment Plant, to pay \$40,000 to the United States, and to make payments of \$1,000 if certain effluent limitations in the company's permit are exceeded before the Terminal Island Treatment Plant begins receiving process wastes from the company.

The Department of Justice will receive on or before December 19, 1977, written comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to "United States v. Ralston Purina Company," D.J. Ref. 90-5-1-1-765.

The proposed consent decree may be examined at the office of the United States Attorney for the Central District of California, 321 N. Spring Street, Los Angeles, Calif. 90012; at the Region IX Office of the United States Environmental Protection Agency, Enforcement Division, 100 California Street, San Francisco, Calif. 94111; and at the Pollution Control Section, Land and Natural Resources Division, Department of Justice, room 2625, Ninth Street and Pennsylvania Avenue NW., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Pollution Control Section, Land and Natural Resources Division, Department of Justice.

JAMES W. MOORMAN,

Assistant Attorney General,
Land and Natural Resource Division.

[FR Doc.77-33197 Filed 11-16-77; 8:45 am]

It had formerly given to Treasury. The above factors would have weighed heavily in my deliberations had the evidence in support of a negative finding in this investigation not been so preponderant.

[4410-01]

DEPARTMENT OF JUSTICE

Office of the Attorney General

[Order No. 756-77]

PRIVACY ACT OF 1974

System of Records

Notice is hereby given that, pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, the Department of Justice proposes a new system of records maintained by the Immigration and Naturalization Service.

The Application and Petition Tracking System (APTS), JUSTICE/INS-002, is a new system of records for which no public notice consistent with the provisions of 5 U.S.C. 552a(e)(4) has been published in the FEDERAL REGISTER.

Interested persons are invited to submit written comments on the routine uses of this system. Comments should be addressed to Harry L. Gastley, Administrative Counsel, room 1121, Office of Management and Finance, Department of Justice, Washington, D.C. 20530, 202-739-5361. All comments must be received on or before December 19, 1977. Comments will be available for inspection in room 1266, Main Department of Justice Building. No oral hearings are contemplated.

JUSTICE/INS-002

System name:

Application/Petition Tracking System (APTS).

System location:

District offices of the Immigration and Naturalization Service, as detailed in JUSTICE/INS-001.

Categories of individuals covered by the system:

Individuals who have filed applications or petitions for benefits under the Immigration and Nationality Act, as amended.

Categories of records in the system:

Name of applicant or petitioner, date and country of birth, alien identification number, form number of application or petition, date filed or received in INS office, control number, status, and location of relating file or records.

Authority for maintenance of the system:

Section 103 of the Immigration and Nationality Act, as amended (8 U.S.C. 1103).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system will be used by employees of the Immigration and Naturalization Service to determine the status of the pending application or petition and to locate relating files and other records promptly. This system of

records is used to serve the public by providing data for responses, when authorized, to inquiries, complaints, and so forth.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress: Information contained in a system of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

Release of information to the National Archives and Records Service: A record from a system of records may be disclosed as a routine use to the National Archives and Records Service (NARS) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information in this system of records is maintained on magnetic disk.

Retrievability:

Records are retrieved by the name or alien identification number of the applicant or petitioner, or the control number of the application or petition. Access to the system is restricted to employees of the Immigration and Naturalization Service responsible for the control, processing, and adjudication of petitions and applications. Method of access is by keyboard terminals located in areas restricted to authorized INS personnel.

Safeguards:

This system of records is safeguarded and protected in accordance with Department of Justice and INS rules and procedures.

Retention and disposal:

Records will be deleted from the automated data base ninety (90) days after final decision on the application or petition.

System manager:

Associate Commissioner, Management, Central Office, Washington, D.C.; District Directors in district offices in the United States where this system of records is located.

Notification procedures:

Inquiries should be addressed to the District Director of the Immigration and Naturalization Service office where the

application or petition was filed. If the filing location is not known, inquiries may be addressed to the Associate Commissioner, Management, Central Office, Immigration and Naturalization Service, 425 Eye Street NW., Washington, D.C. 20536.

Record access procedures:

In all cases, requests for access to a record from this system of records shall be in writing or in person. If request for access is made in writing, the envelope and letter shall be clearly marked "Privacy Access Request." The requester shall include a description of the general subject matter and, if known, the relating file number. To identify a record relating to an individual, the requester should provide the individual's full name; date and place of birth; alien, citizen, or employee identification number; and, if appropriate, the date and place of entry into or departure from the United States. The requester shall also provide a return address for transmitting the information.

Contesting record procedure:

Any individual desiring to contest or amend information maintained in the system should direct his request to the INS office nearest his residence or the office in which he believes a record concerning him may exist. The request should state clearly what information is being contested, the reasons for contesting it, and the proposed amendment to the information.

Record source categories:

All information is entered from the original application or petition forms completed by the individuals, with the addition of the date of filing or receipt by INS, a control number assigned at the time of receipt, section assignments, and status information updated by each division or unit handling the pending matter.

Systems exempted from certain provisions of the Act:

None.

Dated: November 10, 1977.

GRIFFIN B. BELL,
Attorney General.

[FR Doc.77-33285 Filed 11-16-77;8:45 am]

[4510-30]

DEPARTMENT OF LABOR

Employment and Training Administration EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial

assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.
2. Employment trends in the same industry in the local area.
3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.
4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).
5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of his notice to: Deputy Assistant Secretary for Employment and Training, 601 D St. NW., Washington, D.C. 20213.

Signed at Washington, D.C. this 11th day of November 1977.

ERNEST G. GREEN,
Assistant Secretary for
Employment and Training.

APPLICATIONS RECEIVED DURING THE WEEK ENDING NOVEMBER 11, 1977

<i>Name of applicant and location of enterprise</i>	<i>Principal product or activity</i>
Star Coal Co., Lucas County, Iowa.....	Processing of coal.
Farrington Corp., Holly Springs, Miss.....	General contractor and operation of a restaurant.
Northeast Corridor Industrial Park, Jackson, N.J.....	Development of multi-use industrial park.
Nanny Bonasso's Dodge City, Inc., Morgantown, W. Va.....	Sales and service of new and used vehicles.
Mississippi Stone, Inc., Iuka, Miss.....	A limestone quarry.
Sullivan's Printing Co., West Point, Miss.....	Printing business.
Sturgis Supermarket, Sturgis, Miss.....	Operating a diversified retail complex.
611 Industrial Way West, Inc., Eatontown, N.J.....	Manufacture of vinyl wallcovering, paper and cloth backed.
River Marine Corp., Arkadelphia, Ark.....	Manufacture of boats.
American Greetings Corp. (tenant of city of Harrisburg), Harrisburg, Ark.....	Production greeting cards and gift wrappings.
McMillan Constructors, Inc., Vivian, La.....	Providing oil-field equipment.
S. E. K. Grain, Inc., Coffeyville, Kans.....	Buying, selling and storing of grains.
Bluestone Motor Co., Hinton, W. Va.....	Sale of new and used cars and trucks.
Carter Trucking Co., Inc., Locust Grove, Ga.....	ICC Contract trucking.
Modern Marine Power, Inc., Houma, La.....	Tugboat construction.
Oilfield Machine Works, Inc., Amelia, La.....	Manufacture and repair of oil-field machinery.
Markin Tubing Inc., Wyoming, N.Y.....	Manufacture of welded steel tubing.
Stabil-Drill Specialties, Inc., Amelia, La.....	Rental of oil tools.
Vector Manufacturing Corp., Steamboat Springs, Colo.....	Production and sales of miniature valves and fittings.
James V. Stallings and Co., Sikeston, Mo.....	Certified public accounting.
Delta Diversified, Inc., Dalton, Ga.....	Manufacture broadloom tufted and finishing broadloom carpet.
J & J Industries, Inc., Dalton, Ga.....	Manufacture of commercial institutional carpet.
Barbee Chester Glover, Wendell, N.C.....	Providing custodial care for the aged.
Southern Hospitality Inn, Inc., Hartselle, Ala.....	Motel.

[FR Doc.77-33203 Filed 11-17-77; 8:45 am]

[1505-01]

NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES

ADVISORY COMMITTEE RESEARCH GRANTS PANEL

Meeting

Correction

In FR Doc. 77-30919 appearing on page 56548 in the issue for Wednesday, October 26, 1977, in the third paragraph, the reference to "5 U.S.C. 552(b)(c)" should have read "5 U.S.C. 552b(c)".

[7536-01]

NATIONAL SCIENCE FOUNDATION

AD HOC ADVISORY PANEL FOR THE VERY LARGE ARRAY

Determination of Renewal

The National Science Foundation (NSF) is renewing the Ad Hoc Advisory Panel for the Very Large Array in accordance with the Federal Advisory Committee Act (P.L. 92-463), and the Office of Management and Budget (OMB) Circular A-63, Revised.

After review of the panel's activities, I have determined that the renewal of the Ad Hoc Advisory Panel for the Very Large Array for an additional ninety days is necessary and is in the public in-

terest in connection with the performance of duties imposed upon the National Science Foundation by the National Science Foundation Act of 1950, as amended, and other applicable laws.

Dated: November 11, 1977.

RICHARD C. ATKINSON,
Director.

[FR Doc.77-33189 Filed 11-16-77; 8:45 am]

[7536-01]

EARTHQUAKE RESEARCH

Geophysics Program Funding

The National Science Foundation announces that some additional FY 78 funds have been allocated to the Geophysics Program to augment its on-going broadly-based program of fundamental research on the nature of earthquakes. This increased emphasis is in response to Option B of the Newmark-Stever report to the President's Science Adviser, dated September 1976—"Earthquake Prediction and Hazard Mitigation—Options for USGS and NSF Programs," available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402; Price \$1.90, Stock No. 038-000-00332-1—which outlines an NSF-USGS initiative in earthquake hazard reduction.

Research proposed for this program should involve in-depth studies and measurements of a basic nature directed toward understanding the natural phenomena involved. Proposals should be prepared in accordance with NSF 76-38, "Grants for Scientific Research," and must be received by March 1, 1978. Proposals will be evaluated by normal mail and panel review in competition with all other proposals in Geophysics. Refer any questions to Dr. Roy E. Hanson, Program Director for Geophysics, National Science Foundation, 1800 G St., NW., Washington, D.C. 20550. Telephone: 202-632-4219.

Dated: November 11, 1977.

LEONARD E. JOHNSON,
Associate Program Director,
Geophysics Division of Earth
Sciences.

[FR Doc.77-33190 Filed 11-16-77; 8:45 am]

[7590-01]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-318]

BALTIMORE GAS & ELECTRIC CO.

Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 10 to Facility Operating License No. DPR-69 to Baltimore Gas & Electric Co. (the licensee), which revised the license and the appended Technical Specifications for operation of the Calvert Cliffs Nuclear Power Plant Unit No. 2 (the facility) located in Calvert Cliffs, Md. The amendment is effective as of its date of issuance.

The amendment permitted a temporary exemption to surveillance requirements for inaccessible hydraulic shock suppressors (snubbers) and required augmented surveillance of steam generator snubber reservoirs.

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 Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 31, 1977, (2)

Amendment No. 10 to License No. DPR-69, and (3) the Commission's related Safety Evaluation. 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, Md. 20678. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 11th day of November 1977.

For the Nuclear Regulatory Commission.

DON K. DAVIS,
Acting Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[FR Doc.77-33235 Filed 11-16-77;8:45 am]

[7590-01]

[Docket No. 50-293]

BOSTON EDISON CO.

Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 28 to Facility Operating License No. DPR-35, issued to Boston Edison Co. (the licensee), which revised Technical Specifications for operations of the Pilgrim Nuclear Power Station (the facility) located near Plymouth, Mass. The amendment is effective as of its date of issuance.

This amendment makes revisions to the Pilgrim Nuclear Power Station Technical Specifications to include requirements for compliance with the fracture toughness requirements of Appendix G to 10 CFR Part 50 during heatup and cooldown operations, system hydrostatic tests and reactor core criticality.

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 Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated June 18, 1976, (2) Amendment No. 28 to License No. DPR-35, and (3) the Commission's related

Safety Evaluation. 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 Plymouth Public Library on North Street in Plymouth, Mass. 02360. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this fourth day of November, 1977.

For the Nuclear Regulatory Commission.

DON K. DAVIS,
Acting Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[FR Doc.77-33168 Filed 11-16-77;8:45 am]

[7590-01]

[Docket Nos. 50-70 & 70-754]

GENERAL ELECTRIC COMPANY

Establishment of Atomic Safety and Licensing Board To Rule on Petitions

Pursuant to delegation by the Commission dated December 29, 1972, published in the FEDERAL REGISTER (37 FR 28710) and §§ 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717, and 2.721 of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene in the following proceeding:

General Electric Co. (General Electric Test Reactor, Vallecitos Nuclear Center); Operating License No. TR-1, Special Nuclear Material License No. SNM-960.

This action is in reference to a notice published by the Commission on September 15, 1977, in the FEDERAL REGISTER (42 FR 46427) entitled "Consideration of Applications for Renewal of Operating License and Special Nuclear Material License".

The members of the Board and their addresses are as follows:

Frederic J. Coufal, Esq., Chairman
Atomic Safety and Licensing Board Panel

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Gustave A. Linenberger, Member
Atomic Safety and Licensing Board Panel

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Harry Foreman, Member
Director of Center for Population Studies
University of Minnesota (Box 395 Mayo)
Minneapolis, Minnesota 55455

Dated at Bethesda, Md., this 21st day of October 1977.

JAMES R. YORE,
Chairman, Atomic Safety
and Licensing Board Panel.

[FR Doc.77-33166 Filed 11-16-77;8:45 am]

[7590-01]

[Byproduct Material License
No. 20-00302-02]

J. G. SYLVESTER ASSOCIATES, INC.

Notice of Hearing

In the matter of J. G. Sylvester Associates, Inc., 900 Hingham Street, Rockland, Mass. 02370.

J. G. Sylvester Associates, Inc., Rockland, Mass., is the holder of Byproduct Material License No. 20-00302-02 which authorizes the company to perform industrial radiography with conditions specified therein. The license was issued originally on November 14, 1957, and will expire on January 31, 1981.

On August 11, 1977, the Director of Inspection and Enforcement, pursuant to section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282) and 10 CFR 2.205 of the Commission's regulations, served on the Licensee a Notice of Violation together with a Notice of Proposed Imposition of Civil Penalties. The Notice of Proposed Imposition of Civil Penalties, incorporating by reference the Notice of Violation, alleged that the Licensee was responsible for four separate items of noncompliance which were violations of the Commission's regulations and license conditions and set forth the civil penalty to be assessed for each violation. These alleged violations were based on the results of an inspection of licensed activities on June 21-22, 1977.

An answer dated September 2, 1977, to the Notice of Proposed Imposition of Civil Penalties was received from the Licensee. The Director of Inspection and Enforcement, after due consideration of the response by Licensee, served on the Licensee an Order Imposing Civil Penalties by letter dated October 17, 1977. By letter dated October 28, 1977, the Licensee requested a hearing.

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in Title 10, Code of Federal Regulations, Part 2, notice is hereby given that a hearing will be held before the Honorable Samuel W. Jensch, Administrative Law Judge, at a time and place to be set by the Administrative Law Judge.

The issues before the Administrative Law Judge to be considered and decided shall be:

(a) Whether the Licensee committed violations of the Commission's regulations and condition of the license designated as Items A, B, C, and D, in the Notice of Violation issued to Licensee; and

(b) Whether the Order Imposing Civil Penalties as it relates to Items A, B, C, and D in the Notice should be sustained.

A prehearing conference will be held by the Administrative Law Judge, at a date and place to be set by him, to consider pertinent matters in accordance with the Commission's Rules of Practice. The date and place of hearing will be set at or after the prehearing conference and notice in the FEDERAL REGISTER.

Pursuant to 10 CFR 2.705, an answer to this Notice may be filed by the Licensee not later than twenty (20) days from the date of publication of this Notice in the *FEDERAL REGISTER*.

Required papers may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555. A copy of papers filed should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Pending further order of the Administrative Law Judge, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission. Pursuant to 10 CFR 2.785, the Commission authorizes an Atomic Safety and Licensing Appeal Board to exercise the authority and perform the review functions which would otherwise be exercised and performed by the Commission. The Appeal Board will be designated pursuant to 10 CFR 2.787, and notice as to membership will be published in the *FEDERAL REGISTER*.

Dated at Washington, D.C., this 14th day of November 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.77-33233 Filed 11-16-77;8:45 am]

[7590-01]

[Docket No. 50-216]

POLYTECHNIC INSTITUTE OF NEW YORK

Proposed Issuance of Order Authorizing Termination of Facility License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an order authorizing the termination of Facility License No. R-107 issued to the Polytechnic Institute of New York (the licensee), for the AGN 201M Reactor, a research reactor located in University Heights, Bronx, N.Y., in accordance with the licensee's application dated July 1, 1977, as supplemented August 5, 1977.

Prior to issuance of any order, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By December 1, 1977, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the order in connection with the licensee's application. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR

Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this *FEDERAL REGISTER* notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application dated July 1, 1977, as supplemented August 5, 1977, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 9th day of November 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch No. 4, Division of
Operating Reactors.

[FR Doc.77-33167 Filed 11-16-77;8:45 am]

[7590-01]

REGULATORY GUIDE

Withdrawal

Regulatory Guide 4.10, "Irreversible and Irretrievable Commitments of Material Resources," has been withdrawn. This guide was issued in June 1975 to identify a report on material resources

that formed a basis that was acceptable to the NRC staff for discussions required by the National Environmental Policy Act (NEPA) of irreversible and irretrievable commitments of material resources involved in the construction of a 1,000 MWe pressurized water reactor. It has been determined by the NRC staff that using such detailed data as is called for in Regulatory Guide 4.10 is no longer necessary or useful. Consequently, discussions of the topic in environmental statements have become generalized, and although some applicants still submit detailed data, it is no longer needed.

Regulatory guides are developed to describe and make available to the public methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems. Guides may be withdrawn when they are superseded by the Commission's regulations, when equivalent recommendations have been incorporated in applicable and approved codes and standards, or when changing methods and techniques have made them obsolete.

(5 U.S.C. 552(a))

Dated at Rockville, Md., this 9th day of November 1977.

For the Nuclear Regulatory Commission.

RAY G. SMITH,
Acting Director,
Office of Standards Development.

[FR Doc.77-33170 Filed 11-16-77;8:45 am]

[7590-01]

[Docket Nos. 50-500 and 50-501]

TOLEDO EDISON CO. ET AL.

Notice of Reconstitution of Board

In the matter of the Toledo Edison Co., the Cleveland Electric Illuminating Co., Duquesne Light Co., Ohio Edison Co., and Pennsylvania Power Co., (Davis-Besse Nuclear Power Station, Units 2 and 3).

Dr. John R. Lyman was a member of the Atomic Safety and Licensing Board for the above proceeding. Because of illness, Dr. Lyman is unable to continue his service on this Board.

Accordingly, Dr. Cadet H. Hand, Jr., whose address is Bodega Marine Laboratory, University of California, P.O. Box 247, Bodega Bay, Calif. 94923, is appointed a member of this Board. Reconstitution of the Board in this manner is in accordance with section 2.721 of the Commission's Rules of Practice, as amended.

Dated at Bethesda, Md., this 11th day of November 1977.

JAMES R. YORE,
Atomic Safety and
Licensing Board Panel.

[FR Doc.77-33236 Filed 11-16-77;8:45 am]

[4910-58]

NATIONAL TRANSPORTATION
SAFETY BOARD

[N-AR 77-46]

ACCIDENT REPORTS; SAFETY
RECOMMENDATIONS AND RESPONSES

Availability and Receipt

Aircraft Accident Report No. NTSB-AAR-77-11.—The National Transportation Safety Board has completed its investigation into the crash of a Cessna 421-A aircraft last January 22 at Nogales, Ariz. By a 3 to 1 vote, the Members of the Safety Board on October 27 officially approved the investigation report; copies of the report will be made available to the public in the near future.

Investigation indicated that 9 minutes after takeoff from Nogales International Airport on an instrument flight rules plan for Fresno, California, the Cessna crashed in mountainous terrain 21 miles northwest of Nogales at an elevation of 5,600 feet. Both occupants were killed and the aircraft destroyed.

The pilot had received an IFR clearance to depart Nogales and proceed to Tucson, Ariz., before proceeding west toward his destination, Fresno, Calif. Although the pilot initially requested a routing via a navigational fix to the northwest of the airport, he accepted the direct clearance and proceeded to the north on a straight line course from Nogales to Tucson, with an assigned altitude which did not provide adequate terrain clearance.

The Safety Board has determined that the probable cause of the accident was the controllers' issuance of an improper departure clearance, climb restriction and altitude clearance. The controllers' lack of knowledge and non-compliance with standard ATC procedures placed the aircraft in proximity to high terrain, and the pilot lost control of the aircraft for unknown reasons while executing an emergency, controller-directed turn. Member Hogue concurred with the Board majority's finding that the controllers had issued an improper departure clearance, but stated that the probable cause of the accident was the pilot's loss of control of his aircraft while executing a 180° turn.

Contributing to the accident was (1) the inadequacy of official guidelines concerning the use of the published IFR departure procedures, (2) the failure of the departure controller to provide appropriate services, (3) the inability of the flight service specialist to insert the pilot's requested departure route into the ATC flight data computer, and (4) the failure of the pilot to check the new de-

parture clearance and route for proper terrain clearance altitudes.

The danger inherent in ambiguous procedural guidance has been demonstrated by this accident. The Safety Board concludes that the ambiguities can be resolved by publication of clarifying information in an advisory circular, an exam-o-gram, revisions to the AIM and ATC Handbook 7110.65, or by some combination of these, and by inclusion of these in appropriate pilot and controller training programs.

Accordingly, on November 7 the Safety Board issued the following "Class II, Priority Followup" recommendation to the Federal Aviation Administration:

Revise the Airman's Information Manual and issue or revise other official guidance materials to clarify pilots' and controllers' responsibilities in implementing an IFR departure from an airport which has a published IFR departure procedure. (A-77-69)

Marine Casualty Report No. USCG/NTSB-MAR-77-2.—The development of an enclosed, firesafe, self-contained lifeboat for all large U.S. ships has been recommended by the Safety Board. This and the other recommendations noted below were made as a result of the Safety Board's determination of probable cause of the collision involving the U.S. chemical tanker *Edgar M. Queeny* and the Liberian tanker *S/T Corinthos* in Marcus Hook (Pennsylvania) channel on January 31, 1975. The investigation report will be released jointly by the Safety Board and the U.S. Coast Guard; copies will be available in several weeks.

Investigation indicated that the *Queeny* had left the Monsanto Co. dock at Bridgeport, N.J., and its pilot was attempting a 180° turn to proceed up the Delaware River when it struck the *Corinthos*. The Liberian tanker, which was unloading its crude oil cargo at the British Petroleum Co. dock on the opposite shore of the river, was rocked by explosions and engulfed in flames.

In addition to the 26 persons killed or missing as a result of this accident, 11 persons were injured. *Corinthos* crewmen were unable to launch her lifeboats, and at least three of those who abandoned ship were believed to have died in flaming oil on the water. Damage to the *Queeny* was minor, but the *Corinthos* was destroyed.

The Safety Board has determined that the probable cause of the casualty was the *Queeny* pilot's failure to verify the progress of a turning maneuver into Marcus Hook channel by the use of the navigation equipment available. Contributing to the cause was the master's delay in assuming control of the vessel for 4 minutes after he first doubted the

probable success of the turn, and the pilot's attention being divided between intership communications and conning.

The Safety Board notes that the use of lifeboats was precluded due to their open construction and the surrounding fire. The Board believes that if an enclosed device such as that used successfully for escape from oil drilling rigs had been available to the crew of the *Corinthos*, the loss of life might have been greatly reduced.

The Safety Board is aware of the fact that the elimination of collisions and reduction in the vulnerability of tankships is being pursued by several regulatory and legislative efforts, and notes that the elimination of the cascading fire and violent explosion was also addressed by recommendation of the Marine Board. The Safety Board concurs in these efforts which address the need for inert gas systems, segregated ballast design, and other proposals. The existence of similar conditions in other accidents is additional evidence that changes are needed.

Accordingly, on November 10 the Safety Board recommended that the U.S. Coast Guard:

Amend 33 CFR 164.11(k) to require that masters and pilots discuss beforehand and agree to the essential features and relevant checkpoints of maneuvers expected to be undertaken. (M-77-33)

Require a rate of turn indicator on the bridge of all ships of 10,000 or more deadweight tons. (M-77-34)

Develop and promulgate specifications for an enclosed, firesafe, self-contained lifeboat for installation aboard ocean-going vessels of 10,000 or more deadweight tons. (M-77-35)

Undertake rulemaking and IMCO initiatives to require that anchors be stowed in recesses in the hull so that there is no projection outside the hull plating. (M-77-36)

In a separate letter also forwarded on November 10, the Safety Board recommended that the Maritime Administration, Department of Commerce:

Expedite completion of its firefighting training curriculum and program, which should include basic firefighting training at shoreside facilities and follow-on training "on board" using shipboard systems and equipment, for merchant marine officers and seamen. (M-77-37)

With the exception of M-77-36, each of the above recommendations is designated "Class II, Priority Action." M-77-36 is designated "Class III, Longer Term Action."

Railroad Accident Report No. NTSB-RAR-77-9.—Investigation into the derailment of an Amtrak passenger train near New Castle, Ala., last January 16 has been completed. The report was

officially approved on October 20 and copies will be made available to the public in the near future.

When the second locomotive unit and 12 cars of the train derailed, 76 of the 129 persons aboard were injured; several of the cars separated, and two collided. The 20-car train, which carried passengers and automobiles daily between Chicago and Wildwood, Fla., was on Louisville and Nashville Railroad track north of Birmingham when the derailment occurred.

Safety Board investigation showed that the train had exceeded the L&N 40-mph speed limit for the curve by 2 mph because the locomotive's speed indicator was inaccurate. This exceeded the equilibrium speed of 34.6 mph—the speed at which the train would have exerted lateral force neither to the outside nor the inside of the curve. Such a 20 percent excess over the equilibrium speed would result in an increased steady lateral loading on the outside rail, the Board stated, and the General Motors SDP-40-F locomotive, with its six-wheel three-axle trucks, normally exerts higher lateral forces on the outside rail of curves than other locomotives.

The Safety Board determined that the probable cause of the derailment was the tipping of the east rail which caused the track gage to widen. The gage widened because the track structure was not able to withstand the lateral forces generated by oscillations of the locomotive trucks as the train moved around a 5° curve. The oscillations were generated by variations in track alignment and superelevation that complied with Federal Track Safety Standards for Class 3 track and the ineffectiveness of a vertical snubbing device on the second locomotive unit.

As a result of this investigation, and investigations of other derailments, the Safety Board last February 3 recommended that the Federal Railroad Administration (1) investigate immediately the interaction between SDP-40-F and (General Electric) P-30CH locomotives of passenger trains and track conditions to determine the causes for the widening of the track gage and correct the causes (R-77-1), and (2) impose interim speed restrictions on SDP-40-F-equipped passenger trains permitting safe operation around curves of 1°30' or more on Class 4 or less track—speeds not exceeding equilibrium speed on such curves (R-77-2). (See 42 FR 8445, February 10, 1977.)

On November 7, the Safety Board addressed the following Class II recommendation to the National Railroad Passenger Corp. (Amtrak):

Establish inspection and repair procedures that will insure that locomotive units with defective truck components will not be dispatched. (R-77-36)

RESPONSES TO SAFETY RECOMMENDATIONS

From the Federal Highway Administration re H-76-11.—Letter of October 28 is a followup to FHWA's response of last October 5 (41 FR 46526, October 21, 1976) concerning a Safety Board recommendation issued following investigation into the collapse of the Yadkin River Bridge near Siloam, N.C., on February 23, 1975, after an automobile impacted a vital structural member of the bridge truss. The recommendation called for guidelines for the structural retrofit of bridge railings on existing bridge structures to protect vital structural members from impact by vehicles.

Accompanying FHWA's letter is a copy of a prospectus entitled "Retrofit Railings for Narrow Through Truss and Other Obsolete Bridges" which was issued by FHWA on October 21, 1977, as a Request for Proposal and will result in a research contract that should be underway during early next year. Project objective is to develop designs and hardware for the retrofit of bridge railing systems on existing bridges to protect vital structural members from impact by vehicles.

The study will involve full-scale impact testing, computer simulation, and structural analysis to develop safe and effective retrofit bridge railing systems for the protection of truss bridge members from vehicle impacts.

From the Federal Highway Administration re H-77-11 through 15.—Letter of October 31 acknowledges receipt of the five recommendations issued to FHWA following investigation of the May 21, 1976, accident near Martinez, Calif., involving a schoolbus collision with the bridge rail system on an I-680 off ramp. (See 42 FR 55957, October 20, 1977.)

FHWA has initiated prompt action to implement recommendations 12 through 15 which called for development of bridge railing designs to meet FHWA standards (H-77-12), crash testing of traffic barrier rail systems (H-77-13), and cooperation with the States in setting guidelines for improving existing traffic barrier systems at bridges (H-77-14) and in determining whether existing highway signs and traffic control devices at exit ramps are adequate to provide a driver with understandable and performance-related information needed to negotiate the ramps (H-77-15).

A summary of FHWA activities, based on participation in the Safety Board's investigation and on the public hearing held on this accident, is attached to FHWA's October 31 letter. The summary lists these active FHWA research studies: "New Concepts for Traffic Barrier Systems," nearing completion; "De-

velopment of Safer Bridge Railing Design," completion expected March 31, 1979; "Modeling the Interaction of Heavy Vehicles with Protective Barriers," nearing completion; and "Test and Evaluation of Heavy Vehicle Barrier Systems," completion expected December 31, 1976; also, "Development of Warrant System for Selection of Roadside Accident Countermeasures Responsive to a Range of Roadway and Traffic Characteristics," which has been programmed for FY 1978.

Further, FHWA is modifying an existing research contract to have within the next 12 months six full-scale crash tests performed to establish upper limits of a new retrofit concept for bridge railings. FHWA has also provided the Safety Board with a copy of a memorandum of September 2, 1977, instructing all FHWA Regional Administrators to (1) identify locations where improved bridge rails or barriers are warranted, and (2) determine priorities for retrofit projects based on an evaluation of the factors which warrant special consideration in evaluating the need for an upgraded or a higher performance barrier system.

Also attached to FHWA's letter are copies of other memoranda, dated August 27, 1976, and September 3, 1977, directed to FHWA Regional Administrators, and an "Exit Speed Sign Review" performed by the State of California to provide background on FHWA's efforts to determine, cooperatively with the States, the adequacy of traffic control devices at exit ramps. A memorandum to the FHWA Director, Office of Traffic Operations, is also provided; the memorandum constitutes a formal request for a change in the Manual on Uniform Traffic Control Devices regarding exit speed signs.

NOTE.—The above summarizes Safety Board documents made available, and recommendation response letters received, during the preceding week.

Single copies of the Board's safety recommendation letters in their entirety are available to the public without charge. Copies of the full text of response letters may be obtained at a cost of \$4.00 for service and 10¢ per page for reproduction.

Copies of the complete accident reports noted above—Nos. NTSB-AAR-77-11, USCG/NTSB-MAR-77-2, and NTSB-RAR-77-9—cannot be printed for several weeks. Notice will be given in the FEDERAL REGISTER when copies are available to the public; single copies of accident reports may be obtained without charge.

All requests to the Board for copies must be in writing, identified by the report or recommendation number and the date of publication of this Notice in the FEDERAL REGISTER. Address requests to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

(Secs. 304(a)(2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1906)).)

MARGARET L. FISHER,
Federal Register Liaison Officer.

NOVEMBER 14, 1977.

[FR Doc. 77-33290 Filed 11-16-77; 8:45 am]

[1505-01]

POSTAL SERVICE

COMPLIANCE WITH PROCEDURAL ORDER OF POSTAL RATE COMMISSION PRESID- ING OFFICER

Notice and Request for Comment

Correction

In FR Doc. 77-31720, appearing at page 57355 in the issue of Wednesday, November 2, 1977, directly below the signature of the letter on page 57356, insert the following:

Copies to: General Counsel Director, Office of Program Planning Real Estate and Buildings Department.

[4710-01]

DEPARTMENT OF STATE

[Public Notice CM-7/134]

SHIPPING COORDINATING COMMITTEE SUBCOMMITTEE ON SAFETY OF LIFE AT SEA

Meeting

The working group on standards of training and watchkeeping of the Subcommittee on Safety of Life at Sea (SOLAS), a part of the Shipping Coordinating Committee (SHC), will conduct an open meeting at 9:30 a.m. on Friday, December 9, 1977 in room 8334 of the Department of Transportation, 400 Seventh Street SW., Washington, D.C.

The purpose of the meeting will be to:

Review the report of the sub-committee to the Maritime Safety Committee (STW X/7); and

Discuss the United States position for possible preparation and submission of notes to the diplomatic conference on the International Convention on Training and Certification of Seafarers to be held in London June 14 to July 7, 1978.

Further information may be obtained by contacting Captain J. P. Dawley, U.S. Coast Guard (G-MVP/82), Washington, D.C., (Area Code 202) 426-1500.

Comments from the public will be entertained by the Chairman as time permits.

RICHARD K. BANK,
Chairman,
Shipping Coordinating Committee.

NOVEMBER 9, 1977.

[FR Doc. 77-33198 Filed 11-16-77; 8:45 am]

[4810-22]

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 77-272]

BOHN REX-ROTARY

Notice of Recordation of Trade Name

NOVEMBER 11, 1977.

On September 12, 1977, there was published in the FEDERAL REGISTER (42 FR 45725) a notice of application for the recordation under section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124), of the trade name Bohn Rex-Rotary used by Bohn Rex-Rotary Division of Sheller-Globe Corp. The notice advised that prior to final action on the application, filed pursuant to section 133.12, Customs Regulations (19 CFR 133.12), consideration would be given to relevant data, views, or arguments submitted in opposition to the recordation and received not later than 30 days from the date of publication of the notice. No responses were received in opposition to the application.

The name "Bohn Rex-Rotary" is hereby recorded as the trade name of Bohn Rex-Rotary Division of Sheller-Globe Corp., a corporation organized under the laws of the State of Ohio, located at 1505 Jefferson Avenue, P.O. Box 962, Toledo, Ohio 43697, when applied to mimeostencil duplicators, electrostatic copiers, offset duplicators, electrostatic and aluminum offset plate makers, electric stencil cutters for mimeo duplicators and spirit duplicators, manufactured in Denmark. No foreign person, partnership, association or corporation is authorized to use the trade name.

DONALD W. LEWIS,
Acting Assistant Commissioner,
Regulations and Rulings.

[FR Doc. 77-33272 Filed 11-16-77; 8:45 am]

[4810-25]

Office of the Secretary

RUBBER THREAD FROM ITALY

Termination of Antidumping Investigation
AGENCY: U.S. Treasury Department.
ACTION: Termination of Antidumping Investigation.

SUMMARY: This notice is to advise the public that an investigation conducted under the Antidumping Act, 1921, as amended, which was discontinued on November 21, 1973, with respect to rubber thread from Italy, is being terminated. Analysis made by the Customs Service subsequent to the discontinuance of this investigation has revealed that price assurances made at the time the investigation was discontinued have been honored. Interested persons have previously been invited to comment on this action.

EFFECTIVE DATE: November 17, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. William T. Trujillo, Duty Assessment Division, United States Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-5492.

SUPPLEMENTARY INFORMATION: A "Notice of Tentative Termination of Antidumping Investigation" with respect to rubber thread from Italy was published in the FEDERAL REGISTER of May 11, 1977 (42 FR 23907).

The above mentioned notice set forth the reasons for the proposed termination and interested persons were afforded an opportunity to make written submissions or request the opportunity to present oral views in connection therewith.

No written views or requests for the opportunity to present oral views having been received, I hereby determine that for the reasons stated in the "Notice of Tentative Termination of Antidumping Investigation", a termination of the investigation of rubber thread from Italy is warranted. Accordingly, the antidumping investigation with respect to rubber thread from Italy is hereby terminated, pursuant to section 153.33(h), Customs Regulations (19 CFR 153.33(h)).

This notice is published pursuant to section 153.33(h) of the Customs Regulations (19 CFR 153.33(h)).

Dated: November 11, 1977.

ROBERT H. MUNDHEIM,
General Counsel of the Treasury.

[FR Doc. 77-33188 Filed 11-16-77; 8:45 am]

[7035-01]

INTERSTATE COMMERCE COMMISSION

[Notice No. 254]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under Section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission on or before December 19, 1977. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopsis form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. MC-FC-77377, filed October 25, 1977. Transferee: LAWRENCEBURG TRANSFER, INC., U.S. Highway 127 North, Lawrenceburg, Ky. 40342. Transferor: Ernest W. Ripy, Jr., and Thomas B. Ripy, a partnership, doing business as Lawrenceburg Transfer Co., Lawrenceburg, Ky. 40342. Applicants' representative: Robert H. Kinker, P.O. Box 464, Frankfort, Ky. 40602. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC 98255 (Sub-No. 2), issued October 17, 1961, as follows: *General commodities*, with normal exceptions, over specified regular routes, between Louisville, Ky., and a point five miles south of Stanford, Ky., on U.S. Highway 150, serving all intermediate points and off-route points within three miles of that part of the route between junction U.S. Highway 60 and Kentucky Highway 151 near Graefenburg, Ky., and a point five miles south of Stanford, Ky., on U.S. Highway 150, and the off-route points of Hoffman Distillery, J. T. S.

Brown Distillery, Old Joe Distillery, Bonds Mill Distillery, Glensboro, Burgin, Dix Dam (located off Kentucky Highway 342 in Mercer County, Ky.), and Kentucky State Hospital (located off Kentucky Highway 33 in Boyle County, Ky.); *used whiskey barrels*, over irregular routes, from Lawrenceburg, Ky., to Cincinnati, Ohio. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77380, filed October 25, 1977. Transferee: DON NASS TRUCKING, INC., 210 Front Street, Clinton, Wis. 53525. Transferors: Donald M. Nass, doing business as Don Nass Trucking, 210 Front Street, Clinton, Wis. 53525, and Lowell L. Treffert, Inc., 3323 Rodney Lane, Racine, Wis. 53406. Applicants' representative: Nancy J. Johnson, 4506 Regent Street, Madison, Wis. 53705. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC 139713 (Sub-No. 2), issued April 23, 1976, as follows: *Malt beverages*, from Milwaukee, Wis., to Freeport and Rockford, Ill.; and that portion of transferor's operating rights, set forth in Certificate No. MC 123499, issued March 5, 1974, as follows: *Malt beverages*, in containers, from St. Louis, Mo., to Racine and Burlington, Wis. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77382, filed November 2, 1977. Transferee: WOODROW W. GLIDEWELL, doing business as Action Van & Storage, 715 East Arctic Avenue, Santa Maria, Calif. 93454. Transferor: Action Van & Storage, Inc., 715 East Arctic Avenue, Santa Maria, Calif. 93454. Applicants' representative: Woodrow W. Glidewell, P.O. Box 135, Santa Maria, Calif. 93454. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC 134135 (Sub-No. 1), issued November 13, 1970, as follows: *Used household goods*, with restrictions, between points in San Luis Obispo and San Barbara Counties, Calif. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77385, filed November 1, 1977. Transferee: REES TRUCKING CO., INC., P.O. Box G, Highway 63 North, Houston, Mo. 65483. Transferor: DeWayne Rees, doing business as Rees Trucking Co., P.O. Box G, Highway 63 North, Houston, Mo. 65483. Applicants' representative: Herman W. Huber, Attorney at Law, 101 East High Street, Jefferson City, Mo. 65101. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC 128964 and MC 128964 (Sub-No. 1), issued May 3, 1968, and September 8, 1977, as follows: *Lumber, pallets, posts, and poles*, from points in Texas, Howell, Shannon, and

Wright Counties, Mo., to points in Illinois, Indiana, Iowa, Michigan, and Wisconsin, with no transportation for compensation on return except as otherwise authorized; *lumber, pallets, posts, and poles*, from points in that part of Missouri south of Interstate Highway 44, east of U.S. Highway 65, and west of U.S. Highway 67 (except points in Texas, Shannon, Howell, and Wright Counties), to points in Illinois, Indiana, Iowa, Michigan, and Wisconsin, with no transportation for compensation on return except as otherwise authorized. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77388, filed November 4, 1977. Transferee: BETTER WAY SERVICE CO. OF OHIO, INC., Route 1, P.O. Box 15, Bethesda, Ohio 43719. Transferor: Custom Motor Freight, Inc., 150 East Broad Street, Columbus, Ohio 43215. Applicants' representative: A. Charles Tell, Attorney at Law, 100 East Broad Street, Columbus, Ohio 43215. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificates No. MC 138264 and MC 138264 (Sub-No. 1), issued May 9, 1973, and February 18, 1975, as follows: *Fabricated steel*, from Bellefontaine, Ohio, to points in Illinois, Indiana, Kentucky, Michigan, Pennsylvania, and West Virginia; and *plastic pipe, pipe couplings and fittings, plastic articles, and adhesive cement* (except commodities in bulk), between Hilliard and Union Township (Licking County), Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, New Jersey, New York, Pennsylvania, West Virginia, and Wisconsin. Transferee presently holds no authority from this Commission. Application has been filed for temporary authority under Section 210a(b).

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-33267 Filed 11-16-77; 8:45 am]

[7035-01]

[Volume No. 43]

PETITIONS, APPLICATIONS, FINANCE MATTERS (INCLUDING TEMPORARY AUTHORITIES), RAILROAD ABANDON- MENTS, ALTERNATE ROUTE DEVI- ATIONS, AND INTRASTATE APPLI- CATIONS

NOVEMBER 11, 1977.

PETITIONS FOR MODIFICATION, INTERPRETA- TION, OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

NOTICE

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

The Commission has recently provided for easier identification of substantive petition matters and all documents should clearly specify the "docket",

"sub", and "suffix" (e.g. M1, M2) numbers identified by the Federal Register notice.

An original and one copy of protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this Federal Register notice. Such protest shall comply with Special Rule 247(d) of the Commission's *General Rules of Practice* (49 CFR 1100.247)¹ and shall include a con-

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

cise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's representative, or petitioner if no representative is named.

No. MC 41255 (Sub-No. 78) (M1) (Notice of filing of petition to remove restriction), filed October 5, 1977. Petitioner: GLOSSON MOTOR LINES, INC., P.O. Box 1328, Lexington, N.C. 27292. Petitioner's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301. Petitioner holds a motor common carrier Certificate in No. MC 41255 (Sub-No. 78), issued June 14, 1976, authorizing transportation, over irregular routes, of (1) *New furniture*, from points in North Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties, to points in New York, New Jersey, Pennsylvania, Connecticut, Georgia, Maine, Rhode Island, New Hampshire, Vermont, Massachusetts, Delaware, Florida, Alabama, Arkansas, Louisiana, Oklahoma, Texas, Mississippi, and Maryland (except Baltimore, Laurel, Annapolis, Sparrows Point, Cockeysville, and points in their respective commercial zones as defined by the Commission and also that part of Maryland within the Washington, D.C. commercial zone as defined by the Commission); (2) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, liquids, in bulk, in tank trucks, and commodities requiring special equipment), from New York, N.Y., Baltimore, Md., Philadelphia, Pa., and points in Union, Essex, Middlesex, Somerset, Mercer, Burlington and Camden Counties, N.J., to points in North Carolina west of Onslow, Jones, Carteret, Pamlico, Beaufort, Washington, Chowan, and Gates Counties and east of Transylvania County, Haywood County, and that portion of Madison County on and east of U.S. Highway 23.

(3) *Petroleum products*, in containers, and *service station equipment*, from Roanoke and Richmond, Va., to points in North Carolina described in (1) above; (4) *Cotton piece goods, cotton knit goods and chenille piece goods*, from points in North Carolina described in (1) above, to Washington, D.C., Baltimore, Md., Wilmington, Del., Carnersville, N.Y., New York, N.Y., and points in New York within 15 miles of New York City, points in

New Jersey and those in that part of Pennsylvania on and east of U.S. Highway 11; (5) *Yarn*, from points in North Carolina described in (1) above, to New York, N.Y., and points in New York within 15 miles of New York City, Wilmington, Del., and points in Maryland, New Jersey, Pennsylvania, and the District of Columbia; (6) *Cotton yarn*, from points in North Carolina described in (1) above, to Elmira and Norwich, N.Y. Restriction: The authority granted above shall not be severable by sale or otherwise from carrier's otherwise authorized rights and from the authorized rights specified below. (7) *General commodities*, except classes A and B explosives, household goods as defined by the Commission, commodities of unusual value, commodities in bulk, and those requiring special equipment, between points in that part of North Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties, and west of Onslow, Jones, Carteret, Pamlico, Beaufort, Washington, Chowan, and Gates Counties. The authority granted herein to the extent that it duplicates any authority heretofore granted to or now held by carrier shall not be construed as conferring more than one operating right. By the instant petition, petitioner seeks to delete the restriction "The authority granted above shall not be severable by sale or otherwise from carrier's otherwise authorized rights and from the authorized rights specified below". Petitioner states that this matter is related to Section (5) proceedings in MC-F-13368 (published in the FEDERAL REGISTER issue of October 20, 1977), MC-F-13369 (published in the FEDERAL REGISTER issue of October 20, 1977), MC-F-13375 (to be published), MC-F-13392 (to be published), and MC-F-13399 (to be published).

No. MC 116763 (Sub-No. 334) (M1) (Notice of filing of petition to modify commodity description), filed September 9, 1977. Petitioner: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Petitioner's representative: H. M. Richters (same address as applicant). Petitioner holds a motor common carrier Certificate in No. MC 116763 (Sub-No. 334), issued August 18, 1977, authorizing transportation over irregular routes, of: *Clay and clay products* (except in bulk, in tank vehicles), (1) from points in Scott County, Mo., to points in Florida, Idaho, Maine, Montana, Nevada, New Hampshire, Oregon, Utah, Vermont, Washington, and Missouri and; (2) from points in Stoddard County, Mo., to points in the United States (except Alaska, Hawaii, Kansas, Oklahoma, Texas, Colorado, Nebraska, Illinois, South Dakota, Minnesota, Arkansas, New Mexico, Wyoming, Wisconsin, North Dakota, and Iowa).

By the instant petition, petitioner seeks to add *paper trays and corrugated posts* as additional commodities to the above authority.

No. MC 116923 (Sub-No. 6) (M1) (Notice of filing of petition to add com-

modity description), filed September 29, 1977. Petitioner: KRAMER TRUCKING CO., INC., 275 Trumbull St., Elizabeth, N.J. 07206. Petitioner's representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, N.J. 08904. Petitioner holds a motor common carrier Certificate in No. MC 116923 (Sub-No. 6), issued August 6, 1976, authorizing transportation, over irregular routes, of: *Mobile carbon adsorption water treatment units*, between points in the United States (except Alaska and Hawaii). By the instant petition, petitioner seeks to delete the commodity description "mobile carbon adsorption water treatment units" and substitute in lieu thereof, the commodity description "water treatment units, and materials and supplies used in the installation thereof, except in bulk".

No. MC 136343 M2 (Notice of filing of petition to modify a certificate), filed August 26, 1977. Petitioner: MILTON TRANSPORTATION, INC., R.D. 1 Box 355, Milton, Pa. 17847. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Petitioner holds a motor common carrier Certificate in No. MC 136343, issued November 10, 1975, authorizing transportation, as pertinent, over irregular routes, of *Canned and preserved foodstuffs* (not cold packed or frozen), (1) from the plant site and storage facilities of Comstock Foods, Borden, Inc.-Foods Division at Waterloo, Rushville, Egypt, Fairport, Red Creek, Newark, Lyons, and Syracuse, N.Y., to points in Ohio, Indiana, Michigan, Delaware, and Maryland (except those in the Baltimore, Md., Commercial Zone, as defined by the Commission); (2) from the storage facilities of Comstock Foods, Borden, Inc.-Foods Division at Syracuse, N.Y., to points in Pennsylvania and Baltimore, Md.; and (3) from the plant sites and storage facilities of Comstock Foods, Borden, Inc.-Foods Division at Crosswell, Edmore, Lexington, and Saginaw, Mich., to points in Pennsylvania, New York, New Jersey, Ohio, Maryland, Delaware, and the District of Columbia.

By the instant petition, petitioner seeks to delete the phrasing "the plant sites and storage facilities of Comstock Foods, Borden, Inc.-Foods Division" in (1), (2), and (3) above.

REPUBLICATIONS OF GRANTS OF OPERATING RIGHTS AUTHORITY PRIOR TO CERTIFICATION

NOTICE

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the FEDERAL REGISTER.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such pleading shall comply with Special Rule 247(d) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including

copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

No. MC 113651 (Sub-No. 220) (Republication), filed April 18, 1977, published in the FR issue of May 26, 1977, and republished this issue. Applicant: INDIANA REFRIGERATOR LINES, INC., P.O. Box 552, Muncie, Ind. 47305. Applicant's representatives: George E. Batty (same address as applicant). An order of the Commission, Review Board Number 3, dated September 12, 1977, and served September 26, 1977, finds that the future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes in the transportation of (1) *bananas*, and (2) *agricultural commodities otherwise exempt from economic regulations* under Section 203(b) (6) of the Act, when transported in mixed loads with bananas, from Norfolk, Va., to points in Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, West Virginia, and Wisconsin, and the District of Columbia. Restriction: The authority granted here is restricted to the transportation of shipments originating at the named origin and destined to the indicated destinations.

The purpose of this republication is to indicate applicant's actual grant of authority.

No. MC 124796 (Sub-No. 138) (Republication), filed November 18, 1974, published in the FR issue of December 19, 1974, and republished this issue. Applicant: CONTINENTAL CONTRACT CARRIER CORP., P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. An order of the Commission, Review Board No. 3, decided September 26, 1977, and served October 13, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerosol products*, from Berkeley, R.I. and Danville, Ill., to Union City, Calif., Memphis, Tenn., Gloucester City, N.J., Detroit, Mich., Columbus, Ohio, and Louisville, Ky., restricted to the transportation of shipments originating at the named origins and destined to the named destinations. The purpose of this republication is to show operation as a *common carrier* in lieu of contract carrier.

No. MC 126243 (Sub-No. 19) (Republication), filed December 10, 1976, published in the FR issue of February 24, 1977, and republished this issue. Applicant: ROBERTS TRUCKING CO., INC., P.O. Box 6, Poteau, Okla. 74953. Applicant's representative: Prentiss Shelby (same address as applicant). An order of the Commission, Review Board No. 3, dated September 20, 1977, and served October 5, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, transporting: (1) *Carpeting*, from Wilburton, Okla., to points in Alabama, California, Colorado, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Mississippi, Missouri, Montana, North Carolina, Ohio, Oregon, South Carolina, Texas, Utah, and Washington; and (2) *materials and supplies* used in the manufacture of carpet (except commodities in bulk), from points in Texas, Georgia, Louisiana, Virginia, South Carolina, North Carolina, Florida, Alabama, and Delaware, to Wilburton, Okla.; the right of the Commission is expressly reserved to impose such terms, conditions, or limitations in the future as it may deem necessary to assure that the carrier's operations will comply with the provisions of section 210 of the Interstate Commerce Act; that applicant is fit, willing, and able properly to perform the granted service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate the transportation of commodities from points in the named state to Wilburton, Okla.

No. MC 141794 (Sub-No. 2) (Republication), filed March 15, 1976, published in the FR issue of April 22, 1976, and republished this issue. Applicant: ALADDIN TOURS, INC., P.O. Box 41, Utica, Mich. 48083. Applicant's representative: Robert McFarland, Suite 1002, 999 West Big Beaver Road, Troy, Mich. 48064. An order of the Commission, Review Board No. 2, dated September 19, 1977, and served October 7, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, in sightseeing and pleasure tours, beginning and ending at points in Macomb, Oakland, Lapeer, St. Clair, and Genesee Counties, Mich., and extending to points in the United States (including Alaska but excluding Hawaii); that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to show the grant of Oakland County as a base territory.

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATIONS

NOTICE

The following applications are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR § 1100.247). 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 the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure to 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 copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if not 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) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application.

Further processing steps 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.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 531 (Sub No. 352), filed September 22, 1977. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road (P.O. Box 14048), Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant).

Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: Liquid Plastics (polyester resins) in bulk, in tank vehicles, from Oxnard, Calif., to Grand Junction, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Los Angeles, Calif. or Houston, Tex. Common control may also be involved.

No. MC 720 (Sub-No. 36), filed September 26, 1977. Applicant: BIRD TRUCKING CO., INC., P.O. Box 227, Waupun, Wis. 53963. Applicant's representative: Wayne W. Wilson, 329 W. Wilson St., P.O. Box 8004, Madison, Wis. 53708. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery stores*, from the storage facilities of Dry Storage Corp. which are located at points in Illinois, within the Chicago Commercial Zone, to points in Wisconsin. Restriction: Restricted to traffic originating at the named origin and destined to the named state.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Madison, Wis. or Chicago, Ill.

No. MC 720 (Sub-No. 38), filed September 26, 1977. Applicant: BIRD TRUCKING CO., INC., P.O. Box 227, Waupun, Wis. 53963. Applicant's representative: Michael J. Wyngaard, 329 West Wilson, P.O. Box 8004, Madison, Wis. 53708. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and materials, equipment, and supplies*, used or useful in the manufacture, sale, or distribution of foodstuffs (except in bulk, in tank vehicles), between Moosic, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Madison or Milwaukee, Wis.

No. MC 720 (Sub-No. 39), filed September 26, 1977. Applicant: BIRD TRUCKING CO., INC., P.O. Box 227, Waupun, Wis. 53963. Applicant's representative: Michael J. Wyngaard, 329 West Wilson Street, P.O. Box 8004, Madison, Wis. 53708. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods and artificial sweetener*, from Brownsville, Wis., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Nebraska, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia; (2) *artificial sweetener*, from

Brownsville, Wis., to points in Illinois, Indiana, Iowa, Michigan, Missouri, and Ohio; and (3) *materials, equipment, and supplies*, used or useful in the manufacture, sale, distribution, or production of canned goods and artificial sweetener from points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, to Brownsville, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Madison or Milwaukee, Wis.

No. MC 2900 (Sub-No. 313), filed September 28, 1977. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408-R, Jacksonville, Fla. 32203. Applicant's representative: John Carter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and fittings, materials, accessories, and supplies* used in conjunction therewith, from the plant site and shipping facilities of Rensselaer Plastics, Division of Genova, Inc. located at or near Rensselaer, Ind., 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 Chicago, Ill., or Indianapolis, Ind.

No. MC 4405 (Sub-No. 560) (Amendment), filed July 11, 1977, published in the FEDERAL REGISTER issue of August 25, 1977, and republished, as amended, this issue. Applicant: DEALERS TRANSIT, INC., 522 South Boston Avenue, Tulsa, Okla. 74103. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in interstate or foreign commerce, transporting: *Machinery and machinery parts*, from Whitewater (Hamilton County), Ohio, 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 Columbus, Ohio, or Washington, D.C. The purpose of this republication is to broaden the commodity and territorial descriptions.

No. MC 4405 (Sub-No. 561), filed September 26, 1977. Applicant: DEALERS TRANSIT, INC., 522 South Boston Avenue, Tulsa, Okla. 74103. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in interstate or foreign commerce, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles (except travel trailers and camping trailers in initial movements, (2) *buildings*, complete or in sections, mounted on wheeled undercarriages, in

initial movements, from points in Stephens, Tarrant, Johnson, and Fannin Counties, Tex., and from the plant site of Mobile International Co., Inc., at or near Tulsa, Okla., 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 Dallas, Tex.

No. MC 4405 (Sub-No. 562), filed September 26, 1977. Applicant: DEALERS TRANSIT, INC., 522 South Boston Avenue, Tulsa, Okla. 74103. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in interstate or foreign commerce, transporting: (1) *Trailers, semi-trailers, and trailer chassis*, other than those designed to be drawn by passenger automobiles, in initial movement in truck-away and drive-away service, from New Lisbon, Wis., to points in the United States (except Alaska and Hawaii); and (2) *tractors* in secondary movements, in drive-away service when drawing trailers, semi-trailers, and trailer chassis in initial movement, from New Lisbon, Wis., to points in Arizona, Nevada, Oregon, and Vermont.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 4405 (Sub-No. 563), filed September 26, 1977. Applicant: DEALERS TRANSIT, INC., 522 South Boston Avenue, Tulsa, Okla. 74103. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in interstate or foreign commerce, transporting: (1) *Trailers* designed to be drawn by passenger automobiles (except travel trailers and camping trailers) in initial movements; (2) *buildings*, complete or in sections, mounted on wheeled undercarriages, in initial movements, from the plant sites of Redman Homes, Inc., at Topeka, Ind.; Sanford and Mebane, N.C.; Tulsa, Okla.; Ephrata, Pa.; Athens, Grand Prairie, and Burleson, Tex.; Boaz, Ala.; Eaton Park, Fla.; and Richland, Ga., 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 Dallas, Tex.

No. MC 4405 (Sub-No. 564), filed September 26, 1977. Applicant: DEALERS TRANSIT, INC., 522 South Boston Avenue, Tulsa, Okla. 74103. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in interstate or foreign commerce, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles (except travel trailers and camping trailers) in initial movements; (2) *buildings*, complete or in sections, mounted on wheeled undercarriages, in initial movements, from Schley County,

Ga.; Columbia and Manatee Counties, Fla.; Washington County, Pa.; Fannin, Hunt, Van Zandt, and Leon Counties, Tex.; Otsego and Oneida Counties, N.Y.; Henry County, Tenn.; Harnett County, N.C.; and Shenandoah County, Va., 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 Detroit, Mich.

No. MC 11722 (Sub-No. 57), filed August 22, 1977. Applicant: BRADER HAULING SERVICE, INC., P.O. Box 655, Zillah, Wash. 98953. Applicant's representative: Charles C. Flower, Suite 2, Yakima Legal Center, 303 East D Street, Yakima, Wash. 98901. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic pipe and accessories* (1) from Sunnyside, Wash., to the Ports of Entry on the International Boundary Line between the United States and Canada located at Blaine, Sumas, Oroville, and Lauer, Wash., restricted to traffic moving in foreign commerce and (2) from Sunnyside, Wash., to Seattle, Wash.; and points in Idaho and Oregon.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Yakima, Wash. Applicant holds contract carrier authority in MC 124658 (Sub-No. 2) and other subs, therefore dual operations may be involved.

No. MC 13123 (Sub-No. 90), filed September 28, 1977. Applicant: WILSON FREIGHT CO., a corporation, 11353 Reed Hartman Highway, Cincinnati, Ohio 45241. Applicant's representative: Milton H. Bortz, 11353 Reed Hartman Highway, Cincinnati, Ohio 45241. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk), and those requiring special equipment, serving the facilities of Mead Johnson & Co. at or near Mount Vernon, Ind., as an off-route point in connection with carrier's otherwise authorized regular route operations.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Cincinnati, Ohio. Common control may be involved.

No. MC 14314 (Sub-No. 25), filed September 12, 1977. Applicant: DUFF TRUCK LINE, INC., Broadway and Vine, P.O. Box 359, Lima, Ohio 45802. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, those of unusual value, Classes A and B explosives, household goods as defined by the Commission and those requiring special equipment), serving St. Anthony, Ind., as an off-route point in connection with carrier's presently authorized regular-route authority.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Evansville, Ind., or Louisville, Ky.

No. MC 29886 (Sub-No. 337), filed September 28, 1977. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4200 39th Avenue, Kenosha, Wis. 53142. Applicant's representative: Paul F. Sullivan, 711 Washington Building, Washington, D.C. 20005. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Yard tractors* between Lyons, Ill., 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 that it be held in Chicago, Ill.

No. MC 30618 (Sub-No. 9), filed September 28, 1977. Applicant: HENRY V. RABOUIN, P.O. Box 204, Pittsfield, Mass. 01201. Applicant's representative: Harris N. Aaronson, 57 Wendell Avenue, Pittsfield, Mass. 01201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Talc*, in bulk, in tank vehicles, from Chester, Vt., to Woodbridge Township (Port Reading), N.J.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Springfield or Boston, Mass.

No. MC 30844 (Sub-No. 595), filed September 30, 1977. Applicant: KROBLIN REFRIGERATED EXPRESS, INC., P.O. Box 5000, Waterloo, Iowa 50704. Applicant's representative: John P. Rhodes, P.O. Box 5000, Waterloo, Iowa 50704. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk), from plant site and storage facilities of Swift & Co. plants located at or near Grand Island and Omaha, Nebr.; Des Moines, Glenwood, Marshalltown, and Sioux City, Iowa, to points in Alabama, Georgia, Tennessee, North Carolina, and South Carolina.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held in Chicago, Ill.

No. MC 32882 (Sub-No. 83), filed September 25, 1977. Applicant: MITCHELL BROS. TRUCK LINES, 3841 North Columbia Boulevard, Portland, Ore. 97217. Applicant's representative: Lex F. Page (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal feeds and feed ingredients* (except bulk commodities moving in tank vehicles) (1) from the plantsites and facilities of Albers Milling Co. at or near Santa Rosa, Stockton, and Fresno, Calif., to points in Oregon and Washington; and (2) from the plantsite and facility of Albers Milling

Co. at or near Fort Lupton, Colo., to points in Idaho, Nevada, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Portland, Ore.; San Francisco, Calif.; or Denver, Colo.

No. MC 41406 (Sub-No. 58), filed October 3, 1977. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, P.O. Box 2176, Hammond, Ind. 46323. 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: *Roofing and siding, and materials, equipment, supplies, and accessories* used in the manufacture, distribution, and installation thereof (except commodities in bulk), between the facilities of Kaiser Aluminium & Chemical Sales, Inc., at Elkhart, Ind., 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 that it be held at either Chicago, Ill., or Indianapolis, Ind.

No. MC 43038 (Sub-No. 467), filed September 12, 1977. Applicant: COMMERCIAL CARRIERS, INC., 10701 Middlebelt Road, Romulus, Mich. 48174. Applicant's representative: Paul H. Jones, 29725 Shacket Avenue, Madison Heights, Mich. 48071. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Motor vehicles* (except trailers), in initial movements, in truckaway service, from the plant sites or storage facilities of General Motors Corp. located at Detroit, Mich., to points in Nebraska.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C. Common control may be involved.

No. MC 44914 (Sub-No. 3), filed September 12, 1977. Applicant: WILLAMETTE VALLEY TRANSFER CO., 1947 NW. Savier Street, Portland, Ore. 97209. Applicant's representative: Earle V. White, 2400 SW. Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a common carrier by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, and commodities requiring special equipment); (1) between Salem and Eugene, Ore.; from Salem over Interstate Highway 5 to Eugene, and return over the same route, serving all intermediate points and the off-route points of Monmouth, Independence, Albany, and Springfield, Ore.; as alternate routes for operating convenience only, the use of (a) Oregon State Highway 51 between Salem, Independence, and Monmouth, Ore., and (b) U.S. Highway 99W and U.S. Highway 99, running between the junction of U.S. Highway 99W and Oregon State Highway 22 and Oregon State Highway 223 (4 miles east of Dallas located at or near

Rickreall) on the one hand, and, on the other, points in Eugene, Oreg.; (2) between Albany and Eugene, Oreg., from Albany over U.S. Highway 99E to its junction with U.S. Highway 99W located at or near Junction City, Oreg., thence over U.S. Highway 99 to Eugene, and return over the same route, serving all intermediate points; (3) between Albany and Corvallis, Oreg., (a) from Albany over Interstate Highway 5 to its junction with Oregon State Highway 34, thence over Oregon State Highway 34 to Corvallis, and return over the same route, and (b) from Albany over U.S. Highway 20 to Corvallis, and return over the same route, serving all intermediate points; (4) between Corvallis and Eugene, Oreg., from Corvallis over U.S. Highway 99W to its junction with U.S. Highway 99 located at or near Junction City, Oreg., thence over U.S. Highway 99 to Eugene, and return over the same route, serving all intermediate points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

No. MC 51146 (Sub-No. 530), filed September 26, 1977. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, Wis. 54306. Applicant's representative: Wayne Downing (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper products; plastic products; metal foil products; products composed of combination of paper, plastics, or metal foil; toothpicks; wire goods; scouring pads; holders and dispensers for the above named commodities; and materials and supplies used in the manufacture, distribution, and sale of the above named commodities (except commodities in bulk), from the plant site of American Can Co. at Lexington, Ky., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52460 (Sub-No. 196), filed September 28, 1977. Applicant: ELLEX TRANSPORTATION, INC., 1420 West 35th Street, P.O. Box 9637, Tulsa, Okla. 74107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 NW 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, from the plant site of International Paper Co. located at or near Camden and Pine Bluff, Ark.; Bastrop and Springhill, La.; Redwood, Miss.; and South Texarkana, Tex., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas; and (2) materials and supplies used in the manufacture of paper and paper products (except commodities in bulk, in tank vehicles), from points in the United States in and east of North Da-*

kota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas to the plant site of International Paper Co. located at or near Camden and Pine Bluff, Ark.; Bastrop and Springhill, La.; Redwood, Miss.; and South Texarkana, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 52680 (Sub-No. 3) (Correction), filed May 25, 1977, published in the FEDERAL REGISTER issue of July 28, 1977, and republished as corrected this issue. Applicant: T. W. EXPRESS OF IND., INC., 4600 West 34th Street, Cicero, Ill. 60650. Applicant's representative: David C. Ackerson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, in the transportation of *general commodities (except Classes A and B explosives and commodities in bulk, in tank vehicles) and further restricted to shipments which because of size or weight require the use of special equipment or less on one bill of lading, between points in Indiana on and north of U.S. Highway 40.*

NOTE.—The purpose of this republication is to correct applicant's restrictions. Applicant states it intends to tack the requested authority above with its existing authority in No. MC 52680 (Sub-No. 1) at Gary, Hammond, and Whiting, Ind., to provide a through service in the transportation of (1) such merchandise as is dealt in by mail order houses, when such merchandise is transported for mail order or retail merchandise establishments; and (2) meat, packinghouse products and groceries, from points in Indiana on and north of U.S. Highway 40, to Danville, Ill., and points within 70 miles of Danville, restricted in (1) and (2) above against the transportation of commodities in bulk, in tank vehicles, and further restricted in (1) and (2) above to the weights of 5,000 lbs., or less on one bill of lading. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 52858 (Sub-No. 118), filed September 26, 1977. Applicant: CONVOY CO., a corporation, P.O. Box 10185, Portland, Oreg. 97210. Applicant's representative: William C. Parks (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, in the transportation of *automobiles and trucks in truckaway service in secondary movements between points in Colorado on the one hand, and, on the other, points in Washington.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 59856 (Sub-No. 73), filed September 12, 1977. Applicant: SALT CREEK FREIGHTWAYS, 3333 West Yellowstone, Casper, Wyo. 82601. 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 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) between Belgrade, Mont. and Four Corners, Mont.: From Belgrade over Montana Highway 291 to its junction with U.S. Highway 191 at or near Four Corners, Mont., 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 Bozeman, Mont.

No. MC 59934 (Sub-No. 12), filed September 29, 1977. Applicant: MAIN TRUCKING & RIGGING CO., INC., P.O. Box 388, Wallace Street, Elmwood Park, N.J. 07407. Applicant's representative: Edward L. Nehez, P.O. Box 1409, 167 Fairfield Road, Fairfield, N.J. 07006. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting (1) *Machinery, which because of size or weight requires the use of special equipment, from the facilities utilized by Sano Design & Machine Co., Inc., at points in New Jersey on and north of N.J. Highway 33 to points in the United States (except Alaska and Hawaii); and (2) materials, supplies, equipment and machinery (except commodities in bulk in tank vehicles), from points in the United States (except Alaska and Hawaii), to the facilities utilized by Sano Design & Machine Co., Inc., at points in New Jersey on and north of N.J. Highway 33, restricted to the transportation of shipments originating at the named origins and destined to the named destinations.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 61592 (Sub No. 407), Filed September 14, 1977. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Jeffersonville, Ind. 47130. 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 (1) *Iron, steel, zinc, lead, and articles or products thereof, building materials, construction materials, supplies and equipment, and (2) materials, supplies and equipment used in the manufacture and distribution of commodities named in (1) above from (A) the plant sites and warehouse facilities of Penn-Dixie Steel Corp. and Penn-Dixie Steel Industries, Inc., located at or near Kokomo, Ind., Elkhart, Ind., Toledo, Ohio, Columbus, Ohio, Lansing, Mich., Grand Rapids, Mich., Denver, Colo., Albuquerque, N. Mex., Centerville, Iowa, Blue Island, Ill., Joliet, Ill., Jackson, Miss., Nazareth, Pa., Cabot, Pa., Petoskey, Mich., Holland, Mich., Detroit, Mich., Chicago, Ill., Milwaukee, Wis., West Des Moines, Iowa, Kingsport, Tenn., Knoxville, Tenn., Richard City, Tex., Atlanta, Ga., Salisbury, N.C., North Arlington, N.J., North Judson, Ind.,*

Cicero, Ind., and Newton, Kans. to all points in the United States (except Alaska and Hawaii) and (B) from points in the United States (except Alaska and Hawaii) to the plantsites and warehouse facilities of Penn-Dixie Steel Corp. and Penn-Dixie Steel Industries, Inc., located at or near Kokomo, Ind., Ft. Wayne, Ind., Elkhart, Ind., Toledo, Ohio, Columbus, Ohio, Lansing, Mich., Grand Rapids, Mich., Denver, Colo., Albuquerque, N. Mex., Centerville, Iowa, Blue Island, Ill., Joliet, Ill., Jackson, Miss., Nazareth, Pa., Cabot, Pa., Petoskey, Mich., Holland, Mich., Detroit, Mich., Chicago, Ill., Milwaukee, Wis., West Des Moines, Iowa, Kingsport, Tenn., Knoxville, Tenn., Richard City, Tex., Atlanta, Ga., Salisbury, N.C., North Arlington, N.J., North Judson, Ind., Cicero, Ind., and Newton, Kans.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 61592, Sub-No. 408, filed September 19, 1977. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, 101 First Avenue, P.O. Box 737, Moline, Ill. 61265. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Ventilation equipment and parts and attachments thereof*; and (2) *materials, equipment and supplies*, used in the manufacture of distribution of the commodities in (1) above (except commodities in bulk), (a) from Memphis, Tenn., to points in the United States (except Baltimore, Md.; Kansas City, Mo.; Detroit, Mich.; Alaska and Hawaii) and (b) from points in the United States (except Alaska and Hawaii) to Memphis, Tenn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 69397 (Sub-No. 29), filed September 30, 1977. Applicant: JAMES H. HARTMAN & SON, INC., P.O. Box 85, Pocomoke City, Md. 21851. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Building, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Lumber, lumber products, lumber mill products, and accessories used in the installation thereof*, from Chesapeake, Va., to points in Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, and the District of Columbia; and (2) *Plastic articles* (except in bulk), and accessories used in the installation thereof, from Chesapeake, Va., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York (except New York, N.Y.), New Jersey (except those on and within 15 miles west of U.S. Highway 1 and those east of U.S. Highway 1), and Pennsylvania (except those on and east of U.S. Highway 11).

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C., or Norfolk, Va.

No. MC 80289 (Sub-No. 13), filed September 22, 1977. Applicant: RED LINE FURNITURE CARRIERS, INC., 826 Jersey Avenue, Jersey City, N.J. 07302. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a common carrier, in interstate commerce, over irregular routes transporting: *New Furniture and parts*, Between New York, N.Y. Commercial Zone, on the one hand, and, on the other, points in Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, New York, New Jersey, and Maine.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either New York, N.Y., or Newark, N.J.

No. MC 82492 (Sub-No. 164), filed September 28, 1977. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same Address as Applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in containers, from Freedom, Pa., to points in Michigan. Restricted to traffic originating at the named origin and destined to points in the named destination State.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 82492 (Sub-No. 165), filed September 28, 1977. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic granules and plastic magnetic stripping*, from the facilities of The B. F. Goodrich Co. located in Washington County, Ohio, to the facilities of The B. F. Goodrich Co. in New Ulm, Minn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 94265 (Sub-No. 251), filed September 22, 1977. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305, Windsor, Va. 23487. Applicant's representative: William K. Gainey (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in 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), from Smithfield, Va., to Greenville, S.C., Atlanta and Thomasville, Ga., and Birmingham and Montgomery, Ala.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at

either Washington, D.C., Richmond or Norfolk, Va.

No. MC 95876 (Sub-No. 212), filed September 23, 1977. Name of carrier: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, over irregular routes, transporting: *Granite, marble, slate and stone, including precast stone*, from points in Idaho and Montana, to points in the United States (including Alaska, but ex-

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Boise, Idaho.

No. MC 95876 (Sub-No. 213), filed September 26, 1977. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Robert D. Gisvold, 1000 First National Bank D. Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, over irregular routes, transporting: *Building materials* (except electrical cable tray systems), from Florence, Ky., to points in Missouri, Kansas, Nebraska, South Dakota, Wisconsin and Iowa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky. or Cincinnati, Ohio.

No. MC 95876 (Sub-No. 214), filed October 3, 1977. Name of carrier: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. North, St. Cloud, Minn. 56301. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, over irregular routes, transporting: *Equipment, materials and supplies* used in the manufacture of agricultural implements, and attachments, accessories and parts for agricultural implements, from points in the United States, including Alaska, but excluding Hawaii, to points in Steuben County, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 99498 (Sub-No. 5) (Correction), filed May 4, 1977, published in the FEDERAL REGISTER issues of July 8, 1977 and October 27, 1977, and republished as corrected this issue. Applicant: JIMMY STEIN MOTOR LINES, INC., P.O. Box 2286, Mobile, Ala. 36601. Applicant's representative: J. Douglas Harris, 1406 Union Bank Tower, Montgomery, Ala. 36104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, in the transportation of: *General commodities*, (except commodities in bulk, classes A & B explosives, household goods, as defined by the Commission), (1) Between the plant site of MacMillan Bloedel, Inc., located at or near Pine Hill, Ala., and Meridian, Miss., over Alabama State Highway 10 and Mississippi State Highway 19, serving all intermediate points and the off-route

points of Naheola, Ala., restricted against any tacking. (2) Between Mobile and Selma, Ala., over U.S. Highway 43 and Alabama State Highways 5 and 22, serving all intermediate points, and authorizing service to the off-route points of Dixon Mills, Sweetwater, Morvin, and Fulton, Ala.; (3) Between Mobile and Selma, Ala., over U.S. Highway 45 through Deer Park; thence over Alabama State Highway 17 to the intersection of U.S. Highway 80; then over U.S. Highway 80 to Selma, Ala., serving all intermediate points and off-route points of Coatopa, Choctaw, Livingston, Myrtlewood, Pennington, York and the plant site of American Can Company located at Naheola, Ala. (except commodities because of size or weight which requires the use of special equipment), to and from Moscow, Coatopa, York, Livingston, and Bellamy, Ala.; (4) Between Butler, Ala., and Pine Hill, Ala., over Alabama State Highway 10, serving all intermediate points; (5) Between a point beginning near Nanafalia, Ala., thence north to Linden, Ala., over Alabama State Highway 69, and U.S. Highway 43, thence eastward over Alabama State Highway 28, to a point 6 miles east of Thomaston, Ala., thence over Alabama State Highway 66 to Stafford, Ala., serving all intermediate points; (6) Between Linden, Ala., and Demopolis, Ala., over U.S. Highway 43, except no service will be rendered between Demopolis and Selma, Alabama, via Linden, Ala.; (7) Between Saraland, Ala., over Mobile County Highway 41 to its junction with the U.S. Highway 45, serving all intermediate points; (8) Between Wagerly, Ala., and Chatom, Ala., over Alabama State Highway 56, serving all intermediate points, and the off-route points of Surginer, Magnolia, Lower Peach Tree, Whatley, Gossport, Pope, Lismann, Cromwell, Lavaca, Mt. Sterling, and Dickerson; (9) Between Silas, Ala., and the site of the Jackson Lock and Dam located near U.S. Highway 84 and return; (10) Between McIntosh, Ala., and Citronelle Ala., over County Highway 35 and return serving all intermediate points; (11) Between Mt. Vernon, Ala., and Citronelle, Ala., over County Highway 96 and return serving all intermediate points; (12) Between Silas, Ala., and Grove Hill, Ala., over U.S. Highway 84 and return serving all intermediate points; (13) From Gilbertown, Ala., on Alabama Highway 17 to Water Valley and Melvin, Ala., over County Highway 14 to County Highway 18 back to Alabama State Highway 17 making Needham, Eiler, Gougueloosa, and Land, Ala.; (14) Between Pine Hill, Ala., and the plant site of MacMillan Bloedel, Inc., located near Pine Hill, Ala., over Alabama Highway 10 to be tacked at Pine Hill, Ala., with existing authority. (15) Between Chatom, Ala., and the plant site of Phillips Petroleum Company, Chatom Plant, over Alabama State Highway 56 approximately 9 miles west of Chatom, to be tacked at Chatom with existing authority. (16) voting machines, between points in Mobile County, Ala.

NOTE.—The purpose of this republication is to indicate the correct docket number,

which was published incorrectly in the *FEDERAL REGISTER* issue of October 27, 1977, as 99498 (Sub-No. 4) substituting in lieu of 99498 (Sub-No. 5).

The purpose of this republication is to correct applicant's restrictions. This application is made to convert Certificate of Registration No. MC 99498 (Sub-Nos. 1, 2, 3, and 4) now held by applicant, Jimmy Stein Motor Lines, Inc., to a Certificate of Public Convenience and Necessity and in addition thereto extend service to Meridian, Miss., as described in Paragraph 1. If a hearing is deemed necessary, applicant requests it be held at either Montgomery or Mobile, Ala.

No. MC 100666 (Sub-No. 367), filed September 26, 1977. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 N.W. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cooling towers, parts and accessories* for such towers, *materials and supplies* used in the installation of cooling towers (except commodities in bulk), and *heat exchangers*, from the facilities of E. D. Goodfellow, Inc., located at Tulsa, Okla., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Oklahoma City, Okla.

No. MC 104683 (Sub-No. 44), filed September 26, 1977. Applicant: TRANSPORT, INC., P.O. Box 1524, Hattiesburg, Miss. 39401. Applicant's representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *fuel oils*, in bulk, in tank vehicles, (1) from the facilities of Ergon, Inc. at or near Greenville, Miss., to points in Alabama, Arkansas, Louisiana, Mississippi, and Tennessee; (2) from the facilities of Ergon, Inc. at or near Vicksburg, Miss., to points in Alabama, Arkansas, Louisiana, and Mississippi; (3) from the facilities of Mobile Bulk Terminal, Inc. at or near Mobile, Ala., to points in Alabama, Florida, Louisiana, and Mississippi.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Jackson, or Memphis, Tenn.

No. MC 105501 (Sub-No. 22), filed September 26, 1977. Applicant: TERMINAL WAREHOUSE CO., INC., 1851 Radisson Road NE., Blaine, Minn. 55434. Applicant's Representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Bloomer, Wis., to Minneapolis, Minn., restricted to shipments having subsequent movement by rail.

NOTE.—Applicant holds contract carrier authority in MC 141191, therefore dual operations may be involved. If a hearing is

deemed necessary, applicant requests it be held at either Minneapolis or St. Paul, Minn.

No. MC 106074 (Sub-No. 44), filed September 21, 1977. Applicant: B AND P MOTOR LINES, INC., Oakland Road, P.O. Box 727, Forest City, N.C. 28043. Applicant's representative: George W. Clapp, 109 Hartsville Street, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen vegetables*, from points in Cameron and Hidalgo Counties, Tex., to Cambridge, Md.; Jackson, Ohio; and Kansas City, Mo.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Winston-Salem, N.C., or Charlotte, N.C. Applicant holds contract carrier authority in No. MC 140842 (Sub-No. 1) therefore, dual operations may be involved. Common control may also be involved.

No. MC 106398 (Sub-No. 783), filed September 26, 1977. Applicant: NATIONAL TRAILER CONVOY, INC., 525 South Main, Tulsa, Okla. 74103. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers, trailer chassis, containers and cargo containers*, in initial movements, from the plantsite of Mickey Body Company, Inc., in Guilford County, N.C., to points in the United States (except Alaska and Hawaii); and (2) *trailers and trailer chassis*, in secondary movements, between points in Guilford County, N.C., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Charlotte, N.C. Common control may be involved.

No. MC 106674 (Sub-No. 254), filed September 12, 1977. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Linda J. Sundry, P.O. Box 123, Remington, Ind. 47977. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Building materials*, (except commodities in bulk), from the facilities of the Flintkote Company at or near Chicago Heights, Illinois to points in Indiana on and south of U.S. Highway 30 and points in Butler, Clark, Fayette, Franklin, Greene, Hamilton, Madison, Miami, Montgomery, Pickaway, Preble, and Warren counties, Ohio. Restriction: Restricted to the transportation of traffic originating at the above-named origin and destined to the above described territory; and (2) *Roofing, building and insulating materials* (except iron and steel articles and commodities in bulk), from the plantsite and warehouse facilities of CertainTeed Corporation in Chicago Heights, Illinois to points in Indiana, Michigan, Kentucky, Iowa and Wisconsin. Restricted to the transportation of traffic originating at the above-named origin and destined to the above-named states.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Indianapolis, Ind.

No. MC 107403, (Sub-No. 1038), filed September 26, 1977. Applicant: MAT-LACK, INC., Ten West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, over irregular routes transporting: *Bisphenol*, in bulk, in tank or hopper type vehicles, from the facilities of United States Steel Corporation located at Haverhill (Scioto County), Ohio, to points in the United States (except Alaska and Hawaii) and returned and rejected shipments from the above-named destination territory to the above-named origin point.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 107403, (Sub-No. 1039), filed September 28, 1977. Applicant: MAT-LACK, INC., Ten West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, over irregular routes, transporting: *Sand*, in bulk, in tank vehicles, from Glass Rock, Ohio to points in Illinois.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held in Washington, D.C.

No. MC 107460 (Sub-No. 72), filed September 26, 1977. Applicant: WILLIAM Z. GETZ, INC., 3055 Yellow Goose Rd., Lancaster, Pa. 17601. Applicant's representative: Donald D. Shipley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum, aluminum articles, aluminum products and accessories* required for packaging thereof (except commodities in bulk), (1) from the plantsites and warehouses of the Kaiser Aluminum and Chemical Corporation located at or near Los Angeles, La Mirada, Permanente, San Leandro, Newark and San Francisco, Calif., to points in Arkansas, Illinois, Indiana, Kansas, Michigan, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia and Wisconsin; and (2) from the plantsites and warehouses of the Kaiser Aluminum and Chemical Corporation located at or near Ravenswood, W. Va., Heath, Ohio, and Wanatah, Ind., to points in California, Oregon and Washington, under a continuing contract or contracts with the Kaiser Aluminum and Chemical Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at either Washington, D.C. or San Francisco, Calif.

No. MC 107496 (Sub-No. 1111), filed September 28, 1977. Applicant: RUAN TRANSPORT CORPORATION, 3200 Ruan Center, 666 Grand Ave., Des Moines, Iowa 50309. Applicant's representative: E. Check, P.O. Box 855, Des Moines, Iowa 50304. Authority sought to

operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, from the facilities of CF Industries, Inc., at or near Albany, Illinois to points in Iowa, Wisconsin, Illinois, and Minnesota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Ia. or Chicago, Ill.

No. MC 107515 (Sub-No. 1102), filed September 28, 1977. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Rd. NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs* (except commodities in bulk) in vehicles equipped with mechanical refrigeration, from points in Cook, DuPage, Lake and Will Counties, Illinois and Lake County, Ind., to points in Florida.

NOTE.—Applicant states the purpose of this application is to eliminate an interline operation over Panama, Ill. Applicant holds contract carrier authority in No. MC 125436 (Sub-No. 2) and other subs, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108449 (Sub-No. 401), filed September 26, 1977. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty St., Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, from the facilities of CF Industries, Inc., at or near Albany, Illinois to points in Illinois, Iowa, Minnesota, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Chicago, Illinois or St. Paul, Minnesota.

MC 109689 (Sub-No. 315), filed September 30, 1977. Applicant: W. S. HATCH CO. (a corporation), 643 South 800 West, Woods Cross, Utah 84087; P.O. Box 1825, Salt Lake City, Utah 84110. Applicant's representative: Mark K. Boyle, 345 South State St., Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, Limestone and Limestone Products*, from (1) Toole County, Utah to Montana, New Mexico and Texas; (2) From Elko County, Nevada to Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington and Wyoming; (3) From Apex, Nevada to points in Colorado, Utah and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Salt Lake City, Utah.

No. MC 109891 (Sub-No. 32), filed September 27, 1977. Applicant: INFINGER

TRANSPORTATION COMPANY, INC., 2811 Carner Avenue, P.O. Box 7398, Charleston Heights, S.C. 29405. Applicant's representative: Frank B. Hand, Jr., P.O. Drawer C, Berryville, Va. 22611. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials, urea and soda ash*, in bulk, in tank vehicles, in hopper type vehicles, or in dump trucks, from points in Richmond County, Ga., to points in Kentucky, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga. Common control may be involved.

No. MC 110393 (Sub-No. 36), filed September 13, 1977. Applicant: GEM TRANSPORT, INC., 930 Wall St., Jeffersonville, Ind. 47130. Applicant's representatives: Peter A. Greene, 900 17th Street, NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products* as defined by the Commission, from Harrodsburg and Louisville, Ky., to points in Alabama, Georgia, North Carolina, South Carolina, Tennessee, and Bristol, Va.; (2) *Oleomargarine, vegetable oils, vegetable cooking oils, shortening or compounds, and lard substitutes*, from Memphis, Tenn., to points in Alabama and Georgia; (3) *Dairy products*, from Springfield, Ky., to points in Alabama, Florida, Georgia, Indiana, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Washington, D.C.; (4) *New empty containers*, from points in Alabama, Florida, Georgia, Indiana, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Washington, D.C., to Springfield, Ky.; (5) *Cured meats, canned foods, frozen foods, and dairy products*, from St. Paul, Minn., Chicago, Ill., and points in Wisconsin, to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, restricted to shipments originating at St. Paul and combined with other shipments at Chicago and/or a point in Wisconsin; (6) *Frozen foods, canned foods, and dairy products*, from Chicago, Ill., and points in Wisconsin, to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, restricted to shipments originating at a point in Wisconsin and combined with other shipments at Chicago; (7) *Dairy products*, as described in Section B of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from Louisville, Ky., to points in Florida (not including the transportation of butter to points in Florida), Indiana, Mississippi, New York, Ohio, Pennsylvania, Virginia (except Bristol) and West Virginia,

(8) *Dairy products*, as described in Section B of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, and *Frozen foods*, from Springfield, Ky., and Woodbury and Chattanooga, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia, (9) *Dairy products, frozen foods, and fresh meats*, from points in Wisconsin (except Belleville, Wis.) to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, (10) *Fresh and frozen meats and dairy products*, from points in Wisconsin, to points in Connecticut, Delaware, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia, (11) *Fresh and cured meats, canned foods, frozen foods, and dairy products*, from St. Paul, Minn., and from points in Wisconsin, to points in Connecticut, Massachusetts, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia, (12) *Meats, fresh, frozen, and cured and dairy products*, from St. Paul, Minn., to points in Delaware, Maine, and New Hampshire, (13) *Cheese*, from Woodbury, Lewisburg, and Nashville, Tenn., to Chicago, Ill., and Portage and Monroe, Wis., and from Stanford, Ky., to Chicago and West Chicago, Ill., and Portage and Monroe, Wis., (14) *Cheese, butter, dry milk powder, and dry cream powder*, from Springfield, Ky., to Chicago and West Chicago, Ill., and Portage and Monroe, Wis.,

(15) *Cheese and cheese products*, from points in Wisconsin, to points in Connecticut, Massachusetts, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia, and from Elkhart Lake, Monroe, Luxemburg, Plymouth, Mount Horeb, Green Bay, Mayville, Wisconsin Rapids, and New Glarus, Wis., and Independence and Plainfield, Iowa, to New York, N.Y., Philadelphia, Pa., and Baltimore, Md., and from Monroe, Luxemburg, Green Bay, Wisconsin Rapids, New Glarus, Plymouth, and Mayville, Wis., and Independence, Iowa, to Philadelphia, Pa., (16) *Floor covering*, from Salem, N.J., to points in Kentucky and Nashville, Columbia, and Clarksville, Tenn., and from Trenton, N.J., to points in Kentucky, (except points in Kentucky within the Cincinnati, Ohio, Commercial Zone, as defined by the Commission) and to Nashville, Clarksville, and Columbia, Tenn., and to Evansville, Ind., (17) *Plumbing fixtures*, from Camden, N.J., to points in Kentucky, (except points in Kentucky within the Cincinnati, Ohio, Commercial Zone as defined by the Commission) and to Nashville, Clarksville and Columbia, Tenn., and to Evansville, Ind., (18) *Butter*, from Louisville, Ky., to points in Florida,

(19) *Butter, cheese, eggs, and dressed poultry*, from Harrodsburg, Ky., to points in Florida, (20) *Dairy products*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in

tank vehicles), from Louisville, Ky., to points in West Virginia, Virginia, Illinois, Kentucky, Indiana, and Ohio, (21) *Cheese and cheese foods*, in vehicles equipped with mechanical refrigeration (except commodities in bulk in tank vehicles), from Marshfield, Wis., to points in Georgia, North Carolina, South Carolina, and Tennessee, (22) *Dried shortening*, from Stanford and Springfield, Ky., to points in Minnesota, Wisconsin, Illinois, Indiana, Ohio, Tennessee, Virginia, West Virginia, Pennsylvania, New York, Maryland, New Jersey, Delaware, Rhode Island, Connecticut, Massachusetts, and Michigan, (23) *Dairy products*, from Springfield and Stanford, Ky., to points in Delaware, Massachusetts, Connecticut, and Rhode Island.

NOTE.—Applicant states that the purpose of this application is to convert its presently held contract carrier authority to common carrier authority. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 112070 (Sub-No. 16), filed September 30, 1977. Applicant: GRAY MOVING & STORAGE, INC., 1290 South Pearl St., Denver, Colo. 80210. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Ave., Suite 1200, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty household goods shipping containers* (except containers made of paper or paper products) between points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Denver, Colorado.

No. MC 112617 (Sub-No. 377), filed September 16, 1977. Applicant: LIQUID TRANSPORTERS, INC., 1292 Fern Valley Rd., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford, 1292 Fern Valley Rd., P.O. Box 21395, Louisville, Ky. 40221. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles. From: Institute, West Virginia to: Points in Kentucky and Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky. or Washington, D.C.

No. MC 113434 (Sub-No. 86), filed September 28, 1977. Applicant: GRABELL TRUCK LINE, INC., 679 Lincoln Ave., Holland, Mich. 49423. Applicant's representative: Wilhelmina Boersma,

1600 First Federal Bldg., Detroit, Mich. 48226. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: glass containers, caps, covers and tops and cartons from Plainfield, Illinois to St. Louis, Mo.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Chicago, Illinois or Washington, D.C.

No. MC 113843 (Sub-No. 246), filed September 23, 1977. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and, articles distributed by meat packing houses*, (except hides and commodities in bulk), as described in Sections A and C of Appendix 1 to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 from the plantsite and storage facilities of Kahn's and Company at Cincinnati, Ohio, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, 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 Cincinnati, Ohio.

No. MC 114045 (Sub-No. 476), filed September 12, 1977. Applicant: TRANSCOLD EXPRESS, INC., P.O. Box 61228, D/FW Airport, Tex. 75261. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alumina, magnesium hydroxide and calcium carbonate* (except in bulk in tank vehicles) in vehicles equipped with mechanical refrigeration from Millsboro, Del., to San Leandro, Calif., and points in Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Philadelphia, Pa., or Chicago, Ill.

No. MC 114211 (Sub-No. 318), filed September 16, 1977. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Daniel Sullivan, Suite 1600, 10 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier* over irregular routes, by motor vehicle, transporting: *Lift trucks, parts, attachments, and related accessories*, from points in Fresno, Calif., to points in the United States including Alaska but excluding Hawaii, and including ports of entry on the International Boundary line between the United States and Canada for furtherance into foreign commerce.

NOTE.—If a hearing is deemed necessary, applicant requests consolidation with International Transportation, Inc. in MC 113855

(Sub-No. 382) to be held either at San Francisco or Los Angeles, Calif.

No. MC 114274 (Sub-No. 44), filed September 26, 1977. Applicant: VITALIS TRUCK LINES, INC., 137 NE 48th Street Place, P.O. Box 1703, Des Moines, Iowa 50306. Applicant's representative: William H. Towle, 180 North LaSalle Street, Suite 3520, Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *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 Swift & Co., located at/or near Grand Island and Omaha, Nebr.; Des Moines, Glenwood, Marshalltown, and Sioux City, Iowa; to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114457 (Sub-No. 329), filed September 21, 1977. Applicant: DART TRANSIT CO., a corporation, 2102 University Avenue, St. Paul, Minn. 55114. Applicant's representative: James H. Wills (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverage and related advertising material* from the facilities of Pabst Brewing Co. at or near Pabst, Ga. (Houston County), to Illinois, Indiana, Iowa, Minnesota, Michigan, Missouri, Ohio, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 114457 (Sub-No. 332), filed September 30, 1977. Applicant: DART TRANSIT CO. (a corporation), 2102 University Avenue, St. Paul, Minn. 55114. Applicant's representative: James C. Hardman, 33 N. La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and plastic products*, from Shelbyville, Ill., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis-St. Paul, Minn., or Chicago, Ill.

No. MC 114533 (Sub-No. 364), filed September 26, 1977. Applicant: BANKERS DISPATCH CORP., 1106 West 35th Street, Chicago, Ill. 60609. Applicant's representative: Warren W. Wallin, 1106 West 35th Street, Chicago, Ill. 60609. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Laboratory specimens and reports used in pathological testing and of perishable bacteriological culture media*, between Jackson County, Mo., on the one hand, and, on the other, points in Kansas.

NOTE.—Applicant holds motor contract carrier authority in No. MC 128616, and subs

thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 115311 (Sub-No. 244), filed September 26, 1977. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Plywood, paneling and wallboard*, from Norfolk, Va., to points in Alabama, Georgia, Florida, South Carolina, North Carolina, Kentucky, Ohio, Indiana, Illinois, West Virginia, Michigan, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Norfolk, Va.

No. MC 115311 (Sub-No. 245), filed September 26, 1977. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Malt beverages and related advertising matter*, from Pabst, Houston County, Ga., to points in Indiana, Illinois, Wisconsin, Iowa, Kansas, and New Mexico.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 115331 (Sub-No. 431), filed September 29, 1977. Applicant: TRUCK TRANSPORT INC., 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid sugar and corn sweeteners, in bulk*, from Supreme, La., to points in Alabama, Mississippi, and Texas; and (2) *liquid sugar and molasses, in bulk*, from Gretna, La., to points in the United States (except Alaska and Hawaii); and (3) *liquid corn syrups and blends of liquid sugar, in bulk*, from Houma, La., to points in Alabama, Arkansas, Mississippi, Tennessee, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 115730 (Sub-No. 38), filed September 27, 1977. Applicant: THE MICKOW CORP., P.O. Box 1774, 531 SW. Sixth Street, Des Moines, Iowa 50306. Applicant's representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Part (1), *steel bar joists and trusses, metal roof deck, metal siding, and accessories* for the aforementioned commodities, from St. Joe, Ind., to points in Illinois and the lower peninsula of Michigan; part (2), *materials, equipment, and supplies* used in the manufacture of the commodities in part (1), from

points in Illinois and the lower peninsula of Michigan to St. Joe, Ind.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Fort Wayne, Ind., or Washington, D.C.

No. MC 115821 (Sub-No. 32), filed September 20, 1977. Applicant: FRANK BEELMAN, d.b.a. BEELMAN TRUCK CO., St. Libory, Ill. 62282. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, from the facilities of Big Rivers Electric Corp., at or near Sebree, Ky., to points in Tennessee, Indiana, Illinois, Missouri, and Arkansas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either St. Louis, Mo., or Washington, D.C.

No. MC 115841 (Sub-No. 553), filed September 28, 1977. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 168, Concord, Tenn. 37922. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioners, air coolers, air conditioning equipment, furnaces, heating equipment, hydro-pneumatic tanks, water heater tanks, and parts and accessories* for all of the aforementioned commodities, from the plantsite of and the storage facilities utilized by Rheem Manufacturing Co. at Baldwin County, Ga., Montgomery and Greenville, Ala., and at or near Fort Smith, Ark., to points in the United States (except Alaska and Hawaii), and (2) *Materials, equipment, and supplies* used in the manufacture, distribution, and installation of all of the commodities enumerated in part (1) of this application, from all points in the United States (except Alaska and Hawaii), to the plantsites of and the storage facilities utilized by Rheem Manufacturing Co. at Baldwin County, Ga., Montgomery and Greenville, Ala., and at or near Fort Smith, Ark.

NOTE.—Common control may be involved. Applicant holds motor contract carrier authority in No. MC 142769, therefore, dual operations may be involved. If a hearing is deemed necessary, Applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 115841 (Sub-No. 556), filed October 3, 1977. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 9041 Executive Park Drive, Suite 110, Building 100, Knoxville, Tenn. 37919. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, 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 report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the plantsite and storage facilities of Land

O'Frost, Inc., at or near Searcy, Ark., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and Louisiana.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Little Rock, Ark., or Nashville, Tenn. Common control may be involved.

No. MC 116004 (Sub-No. 44), filed September 27, 1977. Applicant: TEXAS-OKLAHOMA EXPRESS, INC., P.O. Box 47112, Dallas, Tex. 75247. Applicant's representative: Doris Hughes, P.O. Box 47112, Dallas, Tex. 75247. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting *general commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the facilities of The Goodyear Tire & Rubber Co. at or near Lawton, Okla., as an off-route point in connection with carrier's present regular route operations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Lawton, Okla.

No. MC 116131 (Sub-No. 3), filed September 26, 1977. Applicant: BAUER-MEISTER HEGEMAN, INC., 3651 Fruitridge, Building 104, P.O. Box 4037, Terre Haute, Ind. 47804. Applicant's representative: Wallace H. Grosbach, 711 East Jackson Street, Brazil, Ind. 47834. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers, semi-trailers, trailer chassis (other than designed to be drawn by passenger automobiles) and parts and accessories therefor*, in initial movements, from the plantsite and storage facilities of Great Dane Trailers Indiana, Inc., located at or near Brazil, Ind., to points in Indiana, Kentucky, Illinois, Ohio, Michigan, Missouri, Wisconsin, Alabama, Tennessee, Iowa, Louisiana, Minnesota, Nebraska, New York, Pennsylvania, Texas, West Virginia, and Arkansas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis or Terre Haute, Ind.

No. MC 116254 (Sub-No. 188), filed September 27, 1977. Applicant: CHEM-HAULERS, INC., P.O. Box 339, Florence, Ala. 35630. Applicant's representative: Hampton M. Mills (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk*, between the port site of Owensboro, Ky., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Owensboro, Ky., or Washington, D.C.

No. MC 116457 (Sub-No. 24), filed September 28, 1977. Applicant: GENERAL TRANSPORTATION INC., P.O. Box 6484, Phoenix, Ariz. 85005. Applicant's

representative: D. Parker Crosby (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products, and treated and untreated poles, logs, timbers, guard rail posts, piling, ties, and crossarms* (except commodities in bulk, in tank vehicles), (1) from points in Yavapai County, Ariz., to points in California, Nevada, Utah, Colorado, New Mexico, Texas, Oklahoma, and Arkansas, and (2) from points in Catron County, N. Mex., to points in Yavapai County, Ariz.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 116915 (Sub-No. 37), filed September 26, 1977. Applicant: ECK MILLER TRANSPORTATION CORP., P.O. Box 1365, Kokomo, Ind. 46901. Applicant's representative: Fred F. Bradley, P.O. Box 773, Frankfort, Ky. 40602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum ingots, aluminum scrap, aluminum sheet metal, aluminum plate, and aluminum industrial foil* between the facilities of Alcan Aluminum Corp., located at or near Oswego, N.Y.; Warren, Ohio; and Fairmont, W.Va., on the one hand, and, on the other, points in the United States, in and east of Minnesota, Iowa, Nebraska, Colorado, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Cincinnati, Ohio; Louisville, Ky.; or Washington, D.C.

No. MC 117313 (Sub-No. 8), filed September 28, 1977. Applicant: TRYON TRUCKING, INC., Post Office Box 68, Fairless Hills, Pa. 19030. Applicant's representative: A. Charles Tell, 100 East Board Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, between points in New Jersey, Maryland, and New York, and points in that part of Pennsylvania east of a line beginning at the Pennsylvania-New York State line near Millerton, Pa., and extending in a southerly direction through Williamsport, Pa., to the Pennsylvania-Maryland State line near West Manheim, Pa., in a nonradial movement.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 117940 (Sub-No. 232), filed September 14, 1977. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman, Post Office Box 104, Maple Plain, Minn. 55359. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk) from plant site and

storage facilities of Swift Fresh Meats Co. located at or near Rochelle, Ill., to points in Kentucky and Hamilton County, Ohio. Restricted to the transportation of shipments originating at named facilities and destined to named destinations.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at Chicago, Ill. Applicant holds contract carrier authority in MC 114789 (Sub-No. 16) and other subs, therefore dual operations may be involved.

No. MC 118142 (Sub-No. 155), filed September 13, 1977. Applicant: M. BRUENGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Building, Wichita, Kans. 67202. Authority sought to operate as a *common carrier* by motor vehicle, over *irregular routes*, transporting: *Foodstuffs*, from the plantsite of Inland Storage Distribution Center, located at Kansas City, Kans. to points in Texas, Oklahoma, Mississippi, Illinois, Florida, and Louisiana.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans. or Kansas City, Mo.

No. MC 118159 (Sub-No. 226), filed September 20, 1977. Applicant: NATIONAL REFRIGERATED TRANSPORT, INC., P.O. Box 51366, Dawson Station, Tulsa, Okla. 74151. Applicant's representative: Warren Taylor (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum containers*, and (2) *refused and/or rejected shipments of aluminum containers, and pallets and other dunnage materials on return*, from the facilities of Reynolds Metals Co. at or near Houston, Tex. 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 Chicago, Ill.

No. MC 118779 (Sub-No. 9), filed September 26, 1977. Applicant: PENNSYLVANIA TRUCK LINES, INC., 49th Street and Parkside Avenue, Philadelphia, Pa. 19131. Applicant's representative: S. Berne Smith, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives and household goods as defined by the Commission), between the properties and facilities of Consolidated Rail Corp. located in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, and West Virginia, and the District of Columbia, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia, under a continuing contract or contracts with

Consolidated Rail Corp. of Philadelphia, Pa.

NOTE.—Applicant holds motor common carrier authority in No. MC 19201 and subs thereunder, therefore, dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, Applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 118959 (Sub-No. 154), filed September 27, 1977. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Applicant's representative: Robert M. Pearce, P.O. Box 1899, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vinyl or plastic siding, extruded; clapboard siding; building materials; and accessories and supplies* used in connection with the described commodities from Bardstown, Kentucky to points in Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas; (2) *Materials, equipment and supplies* used in connection with vinyl or plastic siding, extruded; clapboard siding, building materials; and accessories and supplies used in connection with the described commodities from points in Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas to Bardstown, Ky.

NOTE.—Applicant holds motor contract carrier authority in No. MC 125664 and therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, Applicant requests that it be held at Louisville, Kentucky or Washington, D.C.

No. MC 119315 (Sub No. 21), filed September 26, 1977. Applicant: FREIGHTWAY CORP., 131 Matzinger Road, Toledo, Ohio 43612. Applicant's representative: Paul F. Beery, 275 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulating materials, mineral wool and fiberglass*, from Elkhart, Ind., to points in Illinois, Kentucky, Michigan, Missouri, New York, Ohio, Pennsylvania, Tennessee, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio.

No. MC 119634 (Sub-No. 23), filed September 23, 1977. Applicant: DICK IRVIN, INC., P.O. Box F, 218 12th Avenue North, Shelby, Mont. 59474. Applicant's representative: Joe Gerbase, 100 Transwestern Building, 404 North 31st Street, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lignite, treated or untreated*, from Gascogne, N. Dak., to Malta, Mont.; (2) *bentonite clays, lignite, treated or untreated, and bentonite products* from the plant site of American Colloid Com-

pany, located at or near Malta, Mont., to points in California, Idaho, Montana, Oregon, and Washington; and (3) *bentonite clays, lignite, treated or untreated, and bentonite products*, from the plant site of American Colloid Co., located at or near Malta, Mont., to the ports of entry on the International Boundary line between the United States and Canada located at Blaine, Frontier, Sumas, Oroville, Ferry, Danville, Laurier, Metaline Falls, Wash.; Port Hill and Eastport, Idaho; and Roosville, Gateway, Port of Piegan, Del Bonita, Sweetgrass, Whitlash, Mont., restricted (1) to traffic destined to Simpson, Port of Turner; Port of Morgan, Opheim, Port of Scobey, Whitetail, Raymond, Willow Creek, and Wildhorse, Montana, and (2) to traffic destined to the Provinces of British Columbia, Alberta and Saskatchewan, Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Billings or Great Falls, Mont.

No. MC 119789 (Sub-No. 372), filed September 26, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt Beverages and Related Advertising and Promotional Material* from Jacksonville, Miami, Tampa, and Port Everglades, Fla.; Savannah, Ga.; Mobile, Ala.; New Orleans, La.; and Houston, Tex. to Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at New York, N.Y.

No. MC 119789 (Sub-No. 373), filed September 26, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr., P.O. Box 6188, Dallas, Tex. 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses* as described in Sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk.) From Plant site and storage facilities of Swift & Co. plants located at or near Grand Island & Omaha, Nebr.; Des Moines, Glenwood, Marshalltown, and Sioux City, Iowa, to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Chicago, Ill.

No. MC 119917 (Sub-No. 44), filed September 15, 1977. Applicant: DUDLEY TRUCKING CO., INC., 724 Memorial Drive SE., Atlanta, Ga. 30316. Applicant's representative: William F. Dudley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products and food-stuffs*, from the plant site and shipping facilities of Crackin Good Bakers, Inc., located at or near Valdosta, Ga., to the warehouse and distribution facilities of Winn-Dixie, Inc., located at or near Montgomery, Ala.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga. or Valdosta, Ga.

No. MC 120761 (Sub-No. 32), filed September 26, 1977. Applicant: NEWMAN BROS. TRUCKING CO., A Corporation, 6559 Midway Road, P.O. Box 18728, Fort Worth, Tex. 76118. Applicant's representative: Clint Oldham, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation board* from the facilities utilized by Johns-Manville Sales Corp. at or near Natchez, Miss., to points in Texas, Oklahoma, and Arkansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex., or Denver, Colo. Common control may be involved.

No. MC 123048 (Sub-No. 370), filed September 26, 1977. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021-21st Street, Post Office Box 1557, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pipe, castings, valves, hydrants, fittings, parts and accessories* used in connection therewith, from the facilities of Central Foundry Co. at or near Holt, Ala., to points in the United States (except Alaska and Hawaii); and (2) *machinery, equipment, materials and supplies* used in, or in connection with, the manufacture of the commodities named in (1) above (except commodities in bulk, in tanks or hopper-type vehicles), from points in the United States (except Alaska and Hawaii) to the facilities of Central Foundry Co. at or near Holt, Ala. Restriction: Parts (1) and (2) above are restricted to traffic originating at or destined to Central Foundry Co. at or near Holt, Ala.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held either at Birmingham, Ala., or Washington, D.C.

No. MC 123069 (Sub-No. 19), filed September 21, 1977. Applicant: ALLER & SHARP, INC., 817 West Fifth Avenue, Columbus, Ohio 43212. Applicant's representative: Thomas F. Kilroy, Suite 406, Executive Building, 6901 Old Keene Mill

Road, Springfield, Va. 22150. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Printed matter* from Kokomo, Ind., to all points in Ohio.

NOTE.—If a hearing is deemed necessary, the Applicant requests it be held in Columbus, Ohio or Washington, D.C.

No. MC 123255 (Sub-No. 119), filed September 16, 1977. Applicant: B. & L. MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr., 140 Everett Avenue, Newark, Ohio 43055. Authority sought to operate as a *Common Carrier* by motor vehicle over irregular routes transporting: *Corn and corn products* (except commodities in bulk), from Paris, Ill. to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Vermont, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio. Common control may be involved.

No. MC 123274 (Sub-No. 6), filed September 22, 1977. Applicant: MARSHALL SERVICE, INC., Pearl Street, Newfield, N.J. 08344. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, over irregular routes transporting: *Petroleum products*, in bulk in tank vehicles, from Paulsboro, N.J. to points in Delaware.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either New York, N.Y. or Philadelphia, Pa.

No. MC 123407 (Sub-No. 402), filed September 26, 1977. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: H. E. Miller, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Material fiberboard, wood fiberboard, gypsum board and acoustical materials* from Plainfield, Illinois, to points in the United States (except Alaska and Hawaii); and (2) *Equipment materials and supplies* used in the manufacture of items described in (1) above (except commodities in bulk, in tank vehicles) from points in the United States (except Alaska and Hawaii) to Plainsfield, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 123407 (Sub-No. 403), filed September 26, 1977. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: H. E. Miller, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass* from Seattle, Wash., to Idaho Falls, Idaho, and Salt Lake City, Utah.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Seattle, Wash.

No. MC 124170 (Sub-No. 71), filed September 23, 1977. Applicant: FROST-WAYS, INC., 3000 Chrysler Service Drive, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 600 Enterprise Drive, Suite 222, Oak Brook, Ill. 60521. 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 Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, (1) from points in Wayne County, Mich., to points in Florida, Georgia, Mississippi, Alabama, Louisiana, and Tennessee; and (2) from points in Hillsdale and Macomb Counties, Mich., to points in Florida, Georgia, Mississippi, Alabama, Louisiana, Tennessee, North Carolina, and South Carolina.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 124170 (Sub-No. 72), filed September 27, 1977. Applicant: FROST-WAYS, INC., 3000 Chrysler Service Drive, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 600 Enterprise Drive, Suite 222, Oak Brook, Ill. 60521. 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 203(b) (6) of the Act, when transported in mixed loads with bananas, from Gulfport, Miss. 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, the applicant requests that it be held at New York City, N.Y., or Washington, D.C.

No. MC 124170 (Sub-No. 73), filed September 23, 1977. Applicant: FROST-WAYS, INC., 3000 Chrysler Service Dr., Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 600 Enterprise Dr., Suite 222, Oak Brook, Ill. 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory reagents and culture media*, from Cockeysville, Md., to points in Arizona, California, Connecticut, Delaware, District of Columbia, Idaho, Kansas, Maine, Massachusetts, Montana, New Hampshire, Nevada, New Jersey, New Mexico, Oklahoma, Oregon, Rhode Island, Texas, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the Applicant requests it be held at Detroit, Michigan or Washington, D.C.

No. MC 124174 (Sub-No. 110), filed September 23, 1977. Applicant: MOMSEN TRUCKING CO., (a corporation), P.O. Box 37490, Omaha, Nebr. 68137. Applicant's representative: Marshall D. Becker, 530 Univac Bldg., 7100 West Center Rd., Omaha, Nebr. 68106. Author-

ity sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building, construction, manufacturing, divider, floor, roof or wall panels and sections*, and related accessories and materials used in the erection or installation thereof (except commodities in bulk), from the plantsite or warehouse facilities of Kalwall Corporation, located at or near Manchester, NH., to points in the United States (including Alaska but excluding Hawaii); and (2) *equipment, materials, and supplies* used in the manufacture of the commodities in (1) above, from points in the United States (including Alaska, but excluding Hawaii), to the plant site or warehouse facilities of the Kalwall Corporation, located at or near Manchester, NH., restricted in (2) above, to traffic destined to the named facilities.

NOTE.—Common control may be involved. Applicant holds motor contract carrier authority in No. MC 128342, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Boston, Mass.

No. MC 124211 (Sub-No. 306), filed September 16, 1977. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canvas wear, finding, footwear, leather goods, and rubberwear*, and (2) *commodities* used in the manufacture, distribution, and sale of commodities described in (1) above, between points in Mills, Montgomery, Pottawattamie, and Woodbury Counties, Iowa, and Dodge, Douglas, Lancaster, Madison, Otoe, Platte, Sarpy, and Washington Counties, Nebr., on the one hand, and, on the other, points in Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Washington.

NOTE.—Common control may be involved. If oral hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124511 (Sub-No. 39), filed September 26, 1977. Applicant: JOHN F. OLIVER, P.O. Box 223, Mexico, Mo. 65265. Applicant's representative: Frank W. Taylor, Jr., Suite 600, 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Missouri to points in Iowa, Illinois, Nebraska, and Kansas.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Kansas City, Mo., or St. Louis, Mo.

No. MC 124947 (Sub-No. 73), filed September 19, 1977. Applicant: MACHINERY TRANSPORTS, INC., 116 Allied Road, Stroud, Okla. 74079. Applicant's representative: David J. Lister, 1945 South Redwood Road, Salt Lake City, Utah 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal mining machinery, machinery, parts, supplies*, between Columbus, Ohio, on the

one hand, and, on the other, points in Utah and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Salt Lake City, Utah, or Chicago, Ill.

No. MC 125433 (Sub-No. 114) (Correction), filed August 11, 1977, published in the FEDERAL REGISTER issues of September 22, 1977, and September 29, 1977, and republished, as corrected, this issue. Applicant: F-B TRUCK LINE CO., a corporation, 1945 South Redwood Road, Salt Lake City, Utah 84104. Applicant's representative: David J. Lister (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tires, and related accessories, equipment, and supplies*, when the transportation thereof is incidental to the transportation of tires, from Los Angeles County, Calif., Multnomah County, Oreg., King County, Wash., and Harris and Galveston Counties, Tex., to points in the United States (excluding Alaska and Hawaii).

NOTE.—Common control may be involved. The purpose of this correction is to clarify the commodity description. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Portland, Oreg.

No. MC 125470 (Sub-No. 27) filed September 26, 1977. Applicant: MOORE'S TRANSFER, INC., P.O. Box 1151, Norfolk, Nebr. 68701. Applicant's representative: Gallyn L. Larsen, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salt and salt products; and materials and supplies used in the agricultural, water treatment, food processing, wholesale grocery and institutional supply industries in mixed loads with salt salt products*, from the facilities of American Salt Co., at or near Lyons, Kans., to points in Utah.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at either Kansas City, Mo., or Lincoln, Nebr.

No. MC 125951 (Sub-No. 24), filed September 26, 1977. Applicant: SILVEY REFRIGERATED CARRIERS, INC., 7000 West Center Road, Suite 325, Omaha, Nebr. 68106. Applicant's representative: Bruce A. Bullock, Suite 530, Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular route, 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), from the plant site and storage facilities of Swift & Co. plants located at/or near Grand Island and Omaha, Nebr.; Des Moines, Glenwood, Marshalltown, and Sioux City, Iowa, to points in Alabama, Georgia, Tennessee, North Carolina, and South Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Omaha, Nebr.

No. MC 126555 (Sub-No. 52), filed September 12, 1977. Applicant: UNIVERSAL TRANSPORT, INC., Box 3000, 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: (1) *Bentonite clay*, from points in Butte County, S. Dak., to points in Pennington County, S. Dak., restricted to traffic having a subsequent movement by rail in interstate commerce; (2) *bentonite clay, processed clay and foundry molding sand treating compound*, from the plantsite of American Colloid Co. at or near Belle Fourche, S. Dak. to points in Arizona, California, Louisiana, and Texas; (3) *bentonite clay and processed clay*, (a) from the plantsite of American Colloid Co., at or near Upton, Wyo., to points in Arizona, California, Louisiana, and Texas, and (b) from the plantsite of American Colloid Co. at or near Lovell, Wyo., to points in Louisiana, Minnesota, New Mexico, and Texas (restricted against the transportation of commodities as described in Mercer Extension—Oil Field Commodities, 74 M.C.C. 459, 544, from Lovell, Wyo., to points in New Mexico).

NOTE.—Applicant holds contract carrier authority in MC 102597 and Subs. Therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Rapid City, S. Dak.

No. MC 126679 (Sub-No. 6), filed September 27, 1977. Applicant: DENNIS TRUCK LINES, INC., P.O. Box 189, Vidalia, Ga. 30474. Applicant's representative: Ariel V. Conlin, 53 Sixth Street NE., Atlanta, Ga. 30308. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from points in North Carolina, to points in South Carolina and Georgia; (2) from points in South Carolina to points in Georgia and North Carolina; and (3) between points in Georgia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Jacksonville, Fla.

No. MC 127099 (Sub-No. 20), filed September 23, 1977. Applicant: ROBERT NEFF & SONS, INC., 132 Shawnee Avenue, Zanesville, Ohio 43701. Applicant's representative: James R. Stiverson, 1396 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Nitro-carbonitrate and ammonium nitrate fertilizer, and related items*, in bulk and packages, from New Lexington, Ohio, to points in Indiana, Kentucky, Michigan, Virginia, and West Virginia, under a continuing contract or contracts with the Monsanto Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant

requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 128007 (Sub-No. 111), filed September 26, 1977. Applicant: HOFER, INC., P.O. Box 583, Pittsburg, Kans. 66762. Applicant's representative: Larry E. Gregg, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Part (1): *Fabricated concrete reinforcing materials, joints and accessories*, (a) from points in Labette County, Kans., to points in California, Connecticut, Delaware, Idaho, Kansas, Maine, Massachusetts, Nevada, New Hampshire, New Jersey, Ohio, Oregon, Rhode Island, Vermont, and Washington; and (b) from Parker, Ariz.; Denver, Colo.; and Houston, Tex., to points in Labette County, Kans. Part (2): *Materials and supplies used or useful in the manufacture of the commodities listed in Part (1) above*, from points in Colorado, Illinois, Indiana, Missouri, Oklahoma, and Texas to points in Labette County, Kans.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128205 (Sub-No. 36), filed September 23, 1977. Applicant: BULK-MATIC TRANSPORT CO. (a corporation), 12000 South Doty Avenue, Chicago, Ill. 60628. Applicant's representative: Arnold L. Burke, 189 North La Salle Street, Chicago, Ill. 60601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime, limestone and limestone products*, (1) from Elko County, Nev., to points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, and Texas; and (2) from Tooele County, Utah, to points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 128273 (Sub-No. 267), filed September 26, 1977. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Elden Corban, P.O. Box 189, Fort Scott, Kans. 66701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Printed matter and materials and supplies used in the manufacture of printed matter (except commodities in bulk in tank vehicles)*, between Chicago and Mattoon, Ill.; Glasgow, Ky.; Gallatin, Tenn.; and Warsaw, Ind., on the one hand and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Chicago, Ill., or Washington, D.C.

No. MC 128527 (Sub-No. 88), filed September 27, 1977. Applicant: MAY

TRUCKING CO., a corporation, P.O. Box 398, Payette, Idaho 83661. Applicant's representative: J. Michael Alexander, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: (1) *Aluminum, aluminum products and supplies, materials, and equipment used in the manufacture of aluminum and aluminum products* (except in bulk), between the plantsites and facilities of Alumax, Inc., and its subsidiary and affiliated companies located at or near Casa Grande, Ariz.; Long Beach, Riverside, Visalia, Perris Valley, and Woodland, Calif.; Loveland, Colo.; Boise and Twin Falls, Idaho; Tulsa and Checotah, Okla.; Stayton and Umatilla, Oreg.; Dennison and Mansfield, Tex.; and Spokane and Ferndale, Wash., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming; and (2) *zinc and zinc alloys* (except in bulk), between the plantsites and facilities of Alumax, Inc., and its subsidiary and affiliated companies located at or near Long Beach, Calif.; and Checotah, Okla., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either San Francisco, Calif., or Atlanta, Ga.

No. MC 128902 (Sub-No. 10), filed September 23, 1977. Applicant: SCHOE-NEGGE, INC., Route 20 East, P.O. Box 525, Norwalk, Ohio 44857. Applicant's representative: Richard H. Brandon, 220 West Bridge Street, P.O. Box 97, Dublin, Ohio 43017. Authority sought to operate as a *contract motor carrier*, over irregular routes, transporting: *Truck cab assemblies, and materials, equipment, parts, and supplies*, used in the manufacture, assembly, and shipping of truck cab assemblies (except commodities in bulk) between the plantsite of Sheller-Globe Corp., Norwalk Assembly Division, located at Norwalk, Ohio, on the one hand, and, on the other, points in the United States (except Alaska, and Hawaii) under a continuing contract or contracts with Sheller-Globe Corp., Norwalk Assembly Division.

NOTE.—If a hearing is required, applicant states a preference for Columbus, Ohio, or Washington, D.C.

No. MC 129387 (Sub-No. 38), filed September 23, 1977. Applicant: PAYNE TRANSPORTATION, INC., P.O. Box 1271, Huron, S. Dak. 57350. Applicant's representative: Scott E. Daniel, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from the facilities utilized by Beatrice Foods Co., Butter Division, located at Chicago, Ill., to points in Delaware, New York, New Jersey, Pennsylvania, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133095 (Sub-No. 175), filed September 23, 1977. 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 *common carrier*, by motor vehicle, over irregular routes transporting: *Malt beverages* (except in bulk), from Norfolk, Va., and Trenton, N.J., to points in Alabama, Arizona, Arkansas, Colorado, Georgia, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia and Wisconsin.

NOTE.—Applicant holds contract carrier authority in No. MC-136032 and subs thereunder; therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y., or Washington, D.C.

No. MC 133689 (Sub-No. 144), filed September 26, 1977. Applicant: OVERLAND EXPRESS, INC., 719 First Street SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food-stuffs* (except commodities in bulk) (1) from Fair Lawn, N.J.; Philadelphia, Pa.; and Richmond, Va., to points in Minnesota, Wisconsin, North Dakota and South Dakota; (2) from points in Union County, S. Dak., to Philadelphia, Pa., restricted to traffic originating at the plantsite or storage facilities of Nabisco, Inc., located at or near the above named origins and destined to the above named destinations, and further restricted to traffic originating at the above named origins and destined to the plant site or storage facilities of Nabisco, Inc., located at or near Philadelphia, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Minneapolis, Minnesota.

No. MC 133937 (Sub-No. 22), filed September 27, 1977. Applicant: CAROLINA CARTAGE COMPANY, INC., P.O. Box 1075, Greenville, S.C. 29602. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 22036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and motor vehicles), restricted to traffic having a prior or subsequent movement by air or water and moving in interstate or foreign commerce, between points in North Carolina and South Carolina, on the one hand, and, on the other, the Miami International Airport in Dade County, Florida, the ports of Miami and Port Everglades, Florida.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant

requests that it be held at Columbia, South Carolina.

No. MC 134286 (Sub-No. 30), filed September 26, 1977. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, Iowa 51102. Applicant's representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery, seeds, and snackfood products* moving in vehicles equipped with mechanical temperature control devices (1) between the plantsites and/or warehouse facilities of Sunmark Companies at or near Itasca, Illinois and St. Louis, Missouri, and (2) from the plantsites and/or warehouse facilities of Sunmark Companies at or near Itasca, Illinois and St. Louis, Missouri to points in the States of Maryland, Massachusetts, New Jersey, New York, and Pennsylvania.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either St. Louis, Mo., or Springfield, Ill.

No. MC 134286 (Sub-No. 31), filed September 26, 1977. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, Iowa 51102. Applicant's representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman St., Denver, Colo. 80203. 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 packing-houses*, as described in Section A of Appendix I to report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk) from the plantsite and/or storage facilities utilized by Royal Packing Company located at or near National Stockyards, Illinois and St. Louis, Missouri to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, 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 St. Louis, Mo., or Springfield, Ill. Common control may be involved.

No. MC 134477 (Sub-No. 192), filed September 26, 1977. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Food-stuffs*, in straight or mixed shipments *meats, meat products and meat by-products, dairy products*, and articles distributed by meat packinghouses, as described in Sections A, B, and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Madison, Wisconsin to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hamp-

shire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia and the District of Columbia. Restricted to traffic originating at the above named origin and destined to the above named destinations.

NOTE.—If a hearing is deemed necessary, applicant request it be held at Minneapolis, Minn.

No. MC 134574 (Sub-No. 21), filed September 22, 1977. Applicant: FIGOL DISTRIBUTORS LIMITED, 11233 156 Street, Edmonton, Alberta, Canada T5M 1Y2. Applicant's representative: Richard S. Mandelson, 1600 Lincoln Center Bldg., 1660 Lincoln St., Denver, Colo. 80264. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: *fertilizer and fertilizer ingredients, in bags*, from Ports of Entry on the International Boundary Line between the United States and Canada located at Sweetgrass, Montana; Eastport, Idaho; and Orville and Sumas, Washington, to points in California and Arizona.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held in Great Falls, Mont. Common control may also be involved.

No. MC 134755 (Sub-No. 113), filed September 13, 1977. Applicant: CHARTER EXPRESS, INC., P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of Inland Storage Distribution Center, located at Kansas City, Kans. to points in Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, and Virginia.

NOTE.—Applicant holds motor contract carrier authority in MC 138398 and sub numbers thereunder, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests that it be held at Kansas City, Mo.

No. MC 134755 (Sub-No. 114), filed September 21, 1977. Applicant: CHARTER EXPRESS, INC., P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Kansas City, Kans., to points in Missouri, Oklahoma, Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE.—Applicant holds contract carrier authority in No. MC 138398 (Sub-No. 2) and other subs thereunder, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 135469 (Sub-No. 6), filed September 19, 1977. Applicant: Hawkeye

Transport Co., a corporation, 601 East Front St., Stanwood, Iowa 52337. Applicant's representative: Carl E. Munson, 469 Fischer Bldg., Dubuque, Iowa 52001. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, from the facilities of CF Industries Inc., located at or near Albany, Illinois, to points in Illinois, Iowa, Minnesota and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant request it be held at either Chicago, Ill., or St. Paul, Minn.

No. MC 138000 (Sub-No. 33), filed September 28, 1977. Applicant: ARTHUR H. FULTON, INC., P.O. Box 86, Stephens City, Va. 22655. Applicant's representative: Edward N. Button, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Apple products and juices*, from Mt. Jackson, Va. to points in Michigan.

NOTE.—Applicant holds contract carrier authority in MC 129613 Sub 8 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 138420 (Sub-No. 23), filed September 26, 1977. Applicant: CHIZEK ELEVATOR & TRANSPORT, INC., P.O. Box 147, Cleveland, Wis. 53063. Applicant's representative: Wayne W. Wilson, 329 W. Wilson St., P.O. Box 8004, Madison, Wis. 53708. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials and supplies and malt beverage dispensing equipment*, when moving therewith from Detroit, Mich., to St. Louis, Mo.; and (2) *rejected shipments and empty malt beverage containers*, from St. Louis, Mo., to Detroit, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Madison or Milwaukee, Wis.

No. MC 139482 (Sub-No. 20), filed September 28, 1977. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 347, New Ulm, Minn. 56073. Applicant's representative: James E. Ballenthin, 630 Osborn Bldg., St. Paul, Minn. 55102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Part I: (a) *Redwood furniture, redwood furniture components and accessories and parts intended for use therewith*, between Eureka, Calif. on the one hand, and on the other, Loveland and Denver, Colo.; Elkhart, Ind.; New Ulm, Minn.; points in the Minneapolis-St. Paul, Minn. commercial zone as defined by the Commission; Waco, Tex.; and Prairie du Chien and Spencer, Wis.; (b) *upholstered furniture cushions* between Spring City, Tenn., on the one hand, and on the other, Loveland and Denver, Colo.; Elkhart, Ind.; New Ulm, Minn.; points in the Minneapolis-St. Paul, Minn. commercial zone as defined by the Commission;

Waco, Tex.; and Prairie du Chien and Spencer, Wis.; and (c) commodities in (a) and (b) as described above, from Eureka, Calif.; Loveland and Denver, Colo.; Elkhart, Ind.; New Ulm, Minn.; points in the Minneapolis-St. Paul, Minn. commercial zone as defined by the Commission; Spring City, Tenn.; Waco, Tex.; and Prairie du Chien and Spencer, Wis. To all points in the United States, including Alaska, but excluding Hawaii. Part II: (a) *Redwood furniture, redwood furniture components and parts and accessories intended for use therewith*, between North Sioux City, S. Dak.; Fremont, Ohio; Eureka, Calif.; Denver, Colo.; Elkhart, Ind.; New Ulm, Minn.; points in the Minneapolis-St. Paul, Minn. commercial zone as defined by the Commission; Waco, Tex.; and Prairie du Chien and Spencer, Wis., on the one hand, and on the other, points in the United States (excluding Alaska and Hawaii); (b) *Materials, equipment and supplies used in the manufacture and assembly of redwood furniture and redwood furniture components*, from points in the United States (excluding Alaska and Hawaii) to North Sioux City, S. Dak.; Fremont, Ohio; Eureka, Calif.; Denver, Colo.; Elkhart, Ind.; New Ulm, Minn.; points in the Minneapolis-St. Paul commercial zone as defined by the Commission; Waco, Tex.; and Prairie du Chien and Spencer, Wis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minnesota.

No. MC 139495 (Sub-No. 269), filed September 14, 1977. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1320 Fenwick Lane, Suite 500, Silver Spring, Md. 20910. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic and wood moldings* from the plantsite and storage facilities of Abitibi Corporation located at or near Middlebury, Ind. to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 272), filed September 27, 1977. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1320 Fenwick Lane, Suite 500, Silver Spring, Md. 20910. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tobacco products* from the facilities of Lorillard, Division of Loew's Theaters, Inc., at or near Greensboro, N.C. and Louisville, Ky. to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas,

Utah, Washington, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 139584 (Sub-No. 9), filed September 26, 1977. Applicant: JOHN BUSCH, P.O. Box 211, Conyngham, Pa. 18219. Applicant's representative: Joseph F. Hoary, 121 South Main St., Taylor, Pa. 18517. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Metal caps for glass containers, and raw materials for the manufacture of caps for glass containers*, from Hazleton, Pa., to points in New York, New Jersey, Massachusetts, Connecticut, Maine, Maryland, Delaware, Virginia, North Carolina, Florida, Illinois, and California; and (2) *materials and supplies used in the manufacture of metal caps for glass containers*, from the points of destination named in (1) above, to Hazleton, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held in Washington, D.C.

No. MC 139658 (Sub-No. 21), filed September 22, 1977. Applicant: HARRY POOLE, INC., 2322 Kensington Road, Macon, Ga. 31201. Applicant's representative: William Addams, Suite 212, 5299 Roswell Road NE., Atlanta, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Flue dust*, in bulk, in dump trucks, from Tampa, Fla., to Pelham, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Atlanta, Ga.

No. MC 139858 (Sub-No. 12), filed September 26, 1977. Applicant: AMSTAN TRUCKING, INC., 1255 Corwin Avenue, Hamilton, Ohio 45015. Applicant's representative: Chandler L. Van Orman, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Paper products and printed materials*, from Evansville, Ind., to points in California, Illinois, Kentucky, Missouri, Ohio, Tennessee, and Baltimore, Md.; (2) *paper*, from points in Alabama, Illinois, Louisiana, Mississippi, North Carolina, Ohio, Pennsylvania, Tennessee, and Texas, to Evansville, Ind.; and (3) *scrap paper*, from Evansville, Ind., to points in Illinois and Ohio; under a continuing contract or contracts with American Standard, Inc., at New Brunswick, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C.; Louisville, Ky.; or Cincinnati, Ohio.

No. MC 139858 (Sub-No. 13), filed September 26, 1977. Applicant: AMSTAN TRUCKING, INC., 1255 Corwin Avenue, Hamilton, Ohio 45015. Applicant's representative: Chandler L. Van Orman, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a

contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Plumbers' goods and fittings, and materials, supplies, and equipment used in the manufacture and distribution thereof*, (a) from Louisville, Ky., to points in Indiana, Michigan, Nebraska, and Ohio; (b) from Bauxite, Ark., to Paintsville, Ky.; (c) from Nashville, Tenn., to Torrance, Calif.; Wauregan, Conn.; Kokomo, Ind.; Louisville and Paintsville, Ky.; New Orleans, La.; Trenton, N.J.; and Tiffin, Ohio; (d) from Los Angeles, Calif., to Louisville and Paintsville, Ky., and Hamilton, Ohio; (e) from Tiffin, Ohio, to points in Illinois, Indiana, Kentucky, Michigan, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, West Virginia, Wisconsin, and St. Louis, Mo.; (f) from Southard, Okla., to Kokomo, Ind., and Tiffin, Ohio; (g) from Robbins, N.C., and Andrews, S.C., to Trenton, N.J.; (h) from Grand Rapids, Mich., to Paintsville, Ky.; and (2) *Firebrick and clay*, from Mexico, Mo., to Huntington, Ind.; under a continuing contract or contracts with American Standard Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C.; Louisville, Ky.; or Cincinnati, Ohio.

No. MC 139858 (Sub-No. 15), filed September 29, 1977. Applicant: AMSTAN TRUCKING INC., 1255 Corwin Avenue, Hamilton, Ohio 45015. Applicant's representative: Chandler L. Van Orman, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (A) *Printed material*, (1) from Baltimore, Md., and Atlanta, Ga., to Jacksonville and Fort Lauderdale, Fla.; (2) from Sparks, Nev., to Phoenix, Ariz.; and (B) *paper*, (1) from Arkansas, N.C., and points in Virginia, to Atlanta, Ga.; (2) from points in North Carolina, Pennsylvania, Virginia, and Wisconsin, to Baltimore, Md.; (3) from points in Michigan, New York, Louisiana, Maine, Minnesota, and Wisconsin, to Cincinnati, Ohio; and (4) from points in Louisiana, to Willow Grove, Pa., restricted to a transportation service to be performed, under a continuing contract, or contracts, with American Standard Inc., at New Brunswick, N.J., and to traffic originating at or destined to the facilities of American Standard Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.; Louisville, Ky.; or Cincinnati, Ohio.

No. MC 139973 (Sub-No. 28), filed September 26, 1977. Applicant: J. H. WARE TRUCKING, INC., P.O. Box 398, Fulton, Mo. 65251. Applicant's representative: Larry D. Knox, 600 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Electrical appliances, equipment, and parts and pole-line hardware*, between Milwaukee, Wis.;

McComb, Ill.; Columbia, Mo.; Vicksburg, Miss.; and Nacogdoches, Tex., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), in and west of North Dakota, South Dakota, Kansas, Nebraska, Oklahoma, and Texas, restricted to traffic originating at or destined to the facilities of McGraw-Edison Co.

NOTE.—Applicant holds motor contract carrier authority in MC 138375 and sub numbers thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Kansas City, Mo., or St. Louis, Mo.

No. MC 139973 (Sub-No. 29), filed September 27, 1977. Applicant: J. H. WARE TRUCKING, INC., P.O. Box 398, Fulton, Mo. 65251. Applicant's representative: Larry D. Knox, 600 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular route, transporting: *Electrical appliances, equipment and parts and pole-line hardware*, between Milwaukee, Wis.; McComb, Ill.; Columbia, Mo.; Vicksburg, Miss.; and Nacogdoches, Tex., on the one hand, and, on the other, all points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, restricted to traffic originating at or destined to the facilities of McGraw-Edison Co.

NOTE.—Applicant holds motor contract carrier authority in MC 138375 and sub numbers thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Kansas City, Mo. or St. Louis, Mo.

No. MC 139973 (Sub-No. 30), filed September 26, 1977. Applicant: J. H. WARE TRUCKING, INC., P.O. Box 398, Fulton, Mo. 65251. Applicant's representative: Larry D. Knox, 600 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Electrical appliances, equipment, and parts and pole-line hardware*, between Olean, N.Y.; East Stroudsburg, Pa.; Cannonsburg, Pa.; and Zanesville, Ohio, on the one hand, and, on the other, all points in the United States (except Alaska and Hawaii), restricted to traffic originating at or destined to the facilities of McGraw-Edison Co.

NOTE.—Applicant holds motor contract carrier in MC 138375 and sub numbers thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Kansas City, Mo. or St. Louis, Mo.

No. MC 139979 (Sub-No. 1), filed September 28, 1977. Applicant: AMERICAN COLLOID CARRIER CORP., P.O. Box 706, Gering, Nebr. 69341. Applicant's representative: John T. Wirth, 2310 Colorado State Bank Bldg., 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Ben-*

tonite clay, processed clay, foundry moulding sand treating compounds, lignite, water impedance boards, and farm supplies, (a) between points in Michigan and Ohio; and (b) between points in Michigan and Ohio, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming; restricted in (1) above to traffic originating at or destined to the plantsites and facilities of American Colloid Co.; (2) *Bentonite clay, processed clay, foundry moulding sand treating compounds, lignite, impedance boards, and farm supplies* (except commodities in bulk, in tank vehicles), (a) between points in Michigan and Ohio; and (b) between points in Michigan and Ohio on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming;

(3) *Construction materials*, (a) between points in Michigan and Ohio; and (b) between points in Michigan and Ohio on the one hand, and, on the other, points in Colorado, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Utah, Wisconsin, and Wyoming; restricted in (3) above to traffic originating at or destined to the plantsite and facilities of American Colloid Co.; (4) *Construction materials* (except commodities in bulk, in tank vehicles), (a) between points in Michigan and Ohio; and (b) between points in Michigan and Ohio on the one hand, and, on the other, points in Colorado, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Utah, Wisconsin, and Wyoming; and (5) *Materials supplies, and equipment* used in the manufacturing, processing, and distribution of the commodities set forth in (1) and (3) above, (a) between points in Michigan and Ohio; and (b) between points in Michigan and Ohio on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming; restricted in (5) above to traffic originating at or destined to the plantsites and facilities of American Colloid Co.; parts (1) through (5) above are restricted to a transportation service to be performed under a continuing contract or contracts with American Colloid Co. of Skokie, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Denver, Colo. or Chicago, Ill.

No. MC 140024 (Sub-No. 75), filed September 26, 1977. Applicant: J. B. MONTGOMERY, INC. (a Delaware Corporation), 5565 East 52nd Avenue, Commerce City, Colo. 80022. Applicant's representative: John F. DeCock (same address as applicant). Authority sought to

operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Building woodwork*, from the plant site and facilities of Visador Co., Marion Division at or near Marion, Va. to Denver, Colo., restricted to traffic originating at the named origin and destined to the named destination.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 140029 (Sub-No. 8), filed September 23, 1977. Applicant: CLIFFORD H. HALL, INC., 2581 Church Road, Attica, N.Y. 14011. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, between points in New York, on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 140033 (Sub-No. 31), filed September 13, 1977. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75220. Applicant's representative: Lawrence A. Winkle, Suite 1125 Exchange Park, P.O. Box 45538, Dallas, Tex. 75245. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of Inland Storage Distribution Center, located at Kansas City, Kans. to points in Texas and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Kansas City, Kans. or Dallas, Tex. Applicant has pending contract carrier authority in No. MC 142296 therefore dual operations may be involved.

No. MC 140363 (Sub-No. 13), filed August 29, 1977. Applicant: CHAMP'S TRUCK SERVICE, INC., Post Office Box 1233, Meraux, La. 70075. Applicant's representative: Edward A. Winter, 235 Rosewood Drive, Metairie, La. 70005. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Coal and Coke, alloys and ores*, in bulk, in dump vehicles, from the Ports of Alliance, Baton Rouge, Bernside, Chalmette, Davant, Destrahan, Edgard, Geismar, Good Hope, Gramercy, Gretna, Harvey, Marrero, Myrtle Grove, New Orleans, Norco, Port Allen, Port Sulphur, Reserve, St. Francisville, St. Rose, Uncle Sam, Vidalea, Westwego, and Devil's Swamp Landing, La., to points in Louisiana, restricted to traffic having a prior movement by water.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either New Orleans or Baton Rouge, La.

No. MC 140409 (Sub-No. 2), filed September 26, 1977. Applicant: MINN-CAL, INC. P.O. Box E, 104 Third Avenue SW., Mandan, N. Dak. 58554. Applicant's rep-

resentative: Gene P. Johnson, P.O. Box 2471, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Flour, cereals, and bakery goods and supplies* from the facilities of Roman Meal Milling Co. located at Fargo, N. Dak., to points in the United States situated in and west of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas (except Alaska and Hawaii).

NOTE.—Applicant hold contract carrier authority in No. MC 139110 (Sub-Nos. 2 and 6), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Fargo or Bismarck, N. Dak.

No. MC 140452 (Sub-No. 6), filed September 13, 1977. Applicant: ROSE BROTHERS TRUCKING, INC., Rural Route 31, Box 9, Terre Haute, Ind. 47803. Applicant's representative: Norman R. Garvin, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, in dump vehicles (except scrap metal), between the facilities of the Owensboro Riverport Authority at Owensboro, Ky., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Missouri, Ohio, Tennessee, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Indianapolis, Ind. or Chicago, Ill.

No. MC 140553 (Sub-No. 4), filed September 29, 1977. Applicant: ROGERS TRUCK LINE, INC., Box 125, Webster City, Iowa 50595. Applicant's representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site and storage facilities of Swift & Co. plants located at or near Grand Island and Omaha, Nebr.; Des Moines, Glenwood, Marshalltown, and Sioux City, Iowa, to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests that the hearing be held at Chicago, Ill.

No. MC 140612 (Sub-No. 35), filed September 26, 1977. Applicant: ROBERT F. KAZIMOUR, P.O. Box 2207, Cedar Rapids, Iowa 52406. Applicant's representative: J. L. Kazimour (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs, (except commodities in bulk)*, from Bettendorf, Iowa, to points in Missouri, Arkansas and those portions of Illinois and Indiana on and south of U.S. Highway 36. Restriction: Restricted to

the transportation of traffic originating at the facilities of the Terminal Ice and Cold Storage Co. at or near Bettendorf, Iowa, and destined to the above-named destinations.

NOTE.—Applicant holds motor contract carrier authority in No. MC 138003 and sub numbers thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Cedar Rapids, Iowa or Bettendorf, Iowa.

No. MC 140717 (Sub-No. 4), filed September 26, 1977. Applicant: JULIAN MARTIN, INC., 1490 S. 14th Street, Batesville, Ark. 72501. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036. Authority is sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beef and beef products* (except in bulk), from Schuyler, Nebr. to Greenville, Miss., under a continuing contract with Distribuco, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Greenville, Miss. or Little Rock, Ark. Applicant holds common carrier authority in MC 124141; therefore, dual operations may be involved.

No. MC 141124 (Sub-No. 9), filed September 23, 1977. Applicant: EVANGELIST COMMERCIAL CORP., P.O. Box 1709, Wilmington, Del. 19899. Applicant's representative: Boyd B. Ferris, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Matches and wooden ware and materials*, equipment and supplies used in the manufacture or distribution thereof (except commodities in bulk), between Dixfield and Oakland, Maine and Springfield, Mass., on the one hand, and, on the other, all points in Alabama, Ohio, Indiana, Kentucky, Michigan, Pennsylvania, North Carolina, New York, New Jersey, Virginia, Georgia, Tennessee, Missouri, and Florida.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass., or Washington, D.C.

No. MC 141124 (Sub-No. 10), filed September 23, 1977. Applicant: EVANGELIST COMMERCIAL CORP., P.O. Box 1709, Wilmington, Del. 19899. Applicant's representative: Boyd B. Ferris, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite and warehouse facilities of the International Paper Co. at or near Jay and Livermore Falls, Maine to points in Indiana, Illinois, Kentucky, Ohio, points in New York on and west of Interstate Highway 81, and Harrisburg, Pa., and points in Pennsylvania on and west of U.S. Highway 15.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 141230 (Sub-No. 2), filed September 15, 1977. Applicant: CECIL "SANDY" BURNETT TRUCKING & RADIATOR SERVICE, INC., Rural Route No. 2, Box 30, Craig Avenue, Greendale, Ind. 47025. Applicant's representative: Theodore K. High, 2208 Central Trust Tower, 5 East Fourth Street, Cincinnati, Ohio 45202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, bank run, sand and gravel aggregate, rock and dirt*, between the plantsite of Dearborn Gravel Company, located at or near Greendale, Ind., and Dearborn County, Ind.; and the plantsite of American Materials Corp., located at or near Harrison, Ohio and Hamilton County, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Cincinnati, Ohio or Indianapolis, Ind.

No. MC 141255 (Sub-No. 11), filed September 26, 1977. Applicant: TANDY TRANSPORTATION, INC., 2560 East Long Avenue, P.O. Box 7135, Fort Worth, Tex. 76111. Applicant's representative: Ralph W. Pulley, Jr., 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by electronic equipment supply stores, between the facilities of Radio Shack, division of Tandy Corp., at Groveport, Ohio, on the one hand, and, on the other, points in Georgia, Illinois, Indiana, Kentucky, Michigan, New York, Pennsylvania, Tennessee, West Virginia, New Jersey, Delaware, Maryland, Virginia, Wisconsin, and the District of Columbia, under a contract with Tandy Corp. and its division, Radio Shack.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Dallas, Tex., or Washington, D.C.

No. MC 141871 (Sub-No. 6), filed September 23, 1977. Applicant: WNI, INC., 8700 S.W. Elligsen Rd., Wilsonville, Ore. 97070. Applicant's representative: Robert Cross (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer, wine, and champagne* (except in bulk), from points in California to points in Oregon and Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 141914 (Sub-No. 21), filed September 26, 1977. Applicant: FRANKS & SON, INC., Route 1, Box 108-A, Big Cabin, Okla. 74332. Applicant's representative: Gary Brasel, Mezzanine Floor, Beacon Building, Tulsa, Okla. 74103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Molded pulp articles, plastic plates, knives and spoons*, from Waterville, Maine to points in Alabama, Florida, Georgia, North Carolina, and South Carolina.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at Portland, Maine; Boston, Mass.; or New York, N.Y.

No. MC 142048 (Sub-No. 7), filed September 21, 1977. Applicant: PACIFIC TRANSPORTATION LINES, INC., 443 Delaware Avenue, Buffalo, N.Y. 14202. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, between points within the territory bounded by a line beginning at Buffalo, N.Y., and extending in a southwesterly direction along the shore of Lake Erie to Erie, Pa., thence in a southeasterly direction through Union City to Tionesta, Pa., thence east through Ridgway and Saint Marys to Renova, Pa., thence in a northeasterly direction to Savona, N.Y., thence east to Greene, N.Y., thence in a northeasterly direction to Richfield Springs, N.Y., thence north through Mohawk, Herkimer, Newport, Old Forge, and Newton Falls, to Massena, N.Y., thence in a northeasterly direction to Louisville Landing, N.Y., thence along the bank of the St. Lawrence River, and the shore of Lake Ontario to Youngstown, N.Y., and thence south along the east bank of the Niagara River (including Grand Island) to Buffalo, including the points named; (2) *Frozen foods*, from points in New York on and west of Interstate Highway 81 to points in that part of Ohio, Pennsylvania, Virginia, West Virginia, and Maryland in the territory bounded as follows: Beginning at Avon Lake, Ohio, thence over Ohio Highway 76 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction U.S. Highway 522, thence over U.S. Highway 522 to junction U.S. Highway 322, thence over U.S. Highway 322 to junction Pennsylvania Highway 53, thence over Pennsylvania Highway 53 to junction Pennsylvania Highway 144, thence over Pennsylvania Highway 144 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Pennsylvania Highway 449, thence over Pennsylvania Highway 449 to the New York-Pennsylvania State boundary line, thence along the New York-Pennsylvania State boundary line to Lake Erie, thence along the shore of Lake Erie to Avon Lake, Ohio, including all points on the described boundaries, with no transportation for compensation on return except as otherwise authorized. Restricted to traffic originating at the facilities utilized by General Foods Corp., (3) *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses, and *equipment, materials, and supplies* used in the conduct of such businesses (except commodities in bulk), between the plant site and warehouse facilities of Welch Foods, Inc., at or near North East and Erie,

Pa., on the one hand, and, on the other, points in New York (except New York, N.Y., and points in Nassau and Suffolk Counties). Restricted to traffic originating at or destined to the facilities of Welch Foods, Inc., (4) *Frozen foods*, except in bulk, from the storage facility of Lamb-Weston at Mt. Morris, New York, to points in New Jersey, New York, Ohio and Pennsylvania, and returned shipments in return.

NOTE.—The purpose of this application is to convert Parts (1), (2) and (3) above (No. MC 13499 and Sub-No. 5) from contract carrier permits to common carrier certificates of public convenience and necessity. Applicant holds contract carrier authority in No. MC 13499 and subs thereunder, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 142189 (Sub-No. 19), filed September 19, 1977. Applicant: C. M. BURNS, doing business as WESTERN TRUCKING, 521 Lincoln Avenue, Baker, Mont. 59313. Applicant's representative: C. M. Burns, P.O. Box 980, Baker, Mont. 59313. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, and animal and poultry feed ingredients*, from Culbertson, Mont., to points in Arizona, California, Colorado, Idaho, Nevada, Oregon, Texas, Utah, Washington, and Wyoming. NOTE.—Applicant states it intends to tack the above requested authority with applicant's existing authority in No. MC 142189 (Sub-No. 2) at Culbertson, Mont., to provide a through service from points in Iowa, North Dakota, South Dakota, and Minnesota, to points requested in this application.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 142585 (Sub-No. 2), filed September 28, 1977. Applicant: MOORE'S AIRPORT LIMOUSINE SERVICE, INC., P.O. Box 8475, Greensboro, N.C. 27410. Applicant's representative: Willie L. Moore (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies* used in the manufacture of telephone equipment (restricted to traffic having a prior or subsequent movement by air in interstate commerce), between the Greensboro-Winston-Salem-High Point Regional Airport, and the Western Electric Co., Inc., located at Winston-Salem and Greensboro, N.C., under a continuing contract or contracts with the Western Electric Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Greensboro, Winston-Salem, High Point, or Raleigh, N.C.

No. MC 142669 (Sub-No. 6), filed September 16, 1977. Applicant: GENE WALTERS AND CLARK WURTELE, d.b.a. M & M TRUCKING, Buchanan, N. Dak. 58420. Applicant's representative: Charles E. Johnson, 418 East Rosser

Avenue, P.O. Box 1982, Bismarck, N. Dak. 58501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry animal and poultry feed, feed ingredients, and animal health care products*, from points in Minnesota to points in North Dakota and Montana; (2) *paper bags*, from Minneapolis, Minn., to points in North Dakota and Montana.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Fargo, N. Dak., or Minneapolis, Minn.

No. MC 142672 (Sub-No. 6), filed September 26, 1977. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., Post Office Drawer F, Mulberry, Ark. 72947. Applicant's representative: Don Garrison, 324 North Second Street, Rogers, Ark. 72756. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Meat, 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 plantsite and warehouse facilities of Swift & Co., located at or near Grand Island and Omaha, Nebr.; Des Moines, Glenwood, Marshalltown, and Sioux City, Iowa, to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill., or Little Rock, Ark. Applicant has contract carrier authority in No. MC 142065 (Sub-No. 3) and other subs thereunder, therefore, dual operations may be involved.

No. MC 142910 (Sub-No. 4), filed September 13, 1977. Applicant: NORMAN G. DAY, doing business as DAY EXPRESS, 3829½ Camelot Lane, Columbus, Ind. 47201. Applicant's representative: Stephen M. Gentry, 1500 Main Street, Speedway, Ind. 46224. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Window shades and parts related to the manufacture and installation of window shades* between the plantsite of Breneman, Inc., located at or near Madison, Ind., on the one hand, and, on the other, Muskegon, Mich., under a continuing contract or contracts with Breneman, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Louisville, Ky.

No. MC 142925 (Sub-No. 3), filed September 27, 1977. Applicant: A.C.B. TRUCKING, INC., P.O. Box 1683, 2344 Sagamore North, Lafayette, Ind. 47902. Applicant's representative: James Robert Evans, 145 West Wisconsin Avenue, Neenah, Wis. 54956. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Adhesives, silicone chemicals, silicone chemical products, and derivatives of silicone chemicals* from Hemlock and Midland, Mich., to points in Arizona and California, under a continuing contract

or contracts with Dow Corning Corp., Midland, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.; Detroit, Mich., or Chicago, Ill.

No. MC 143195, filed October 3, 1977. Applicant: JOHNSTON TRUCKING CO., 9419 East 63d Street, Kansas City, Mo. 64133. Applicant's representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, Mo. 64141. Authority is sought to operate as a *contract carrier* by motor vehicle, over irregular routes, transporting such commodities as are dealt in and sold or utilized by retail discount department stores in the conduct of their business (1) between the Brenton warehouse of Wal Mart Stores, Inc., located in Kansas City, Mo. on the one hand, and, on the other, the warehouses of Wal Mart Stores, Inc., located at St. Louis, Mo.; Memphis, Tenn.; Dallas, Tex.; Little Rock, Ark.; and Tulsa, Okla., and (2) from the warehouse of Wal Mart Stores, Inc., located in Kansas City, Mo. to Wal Mart Stores in Kansas, Missouri, and Oklahoma, under a continuing contract with Wal Mart Stores, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Kansas City, Mo.

No. MC 143208 (Sub-No. 1), filed September 26, 1977. Applicant: SHENANDOAH RECYCLING, INC., P.O. Box 987, Waynesboro, Va. 22980. Applicant's representative: Richard J. Lee, 4070 Falstone Road, Richmond, Va. 23234. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals for recycling*, between points in Virginia, on the one hand, and, on the other, points in Pennsylvania, Maryland, West Virginia, North Carolina, and Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Richmond, Va., or Roanoke, Va.

No. MC 143379 (Sub-No. 2), filed September 27, 1977. Applicant: COX TRANSPORT CORP., 50 East First North, Manti, Utah 84642. Applicant's representative: Harry D. Pugsley, Suite 1200, 310 South Main Street, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, between points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Utah, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 143422 (Sub-No. 1), filed September 14, 1977. Applicant: HAMM'S TRANSFER & STORAGE CO., INC., 893 Hub Drive, Panama City, Fla. 32401. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between

points in Florida, restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Panama City, Fla.

No. MC 143555 (Sub-No. 2), filed August 3, 1977. Applicant: RIVERSIDE TRANSPORTATION CO., INC., 1903 Canal Drive, Wilson, N.C. 27893. Applicant's representative: Turner B. Bunn III, P.O. Box 2047, Wilson, N.C. 27893. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal offal*, unprocessed or rendered (excluding liquids in bulk tank vehicles or animal skins or hides), in bulk and bags, between points in North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Minnesota, West Virginia, Pennsylvania, New York, New Jersey, Maryland, Virginia, Delaware, Iowa, Washington, D.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held in Raleigh, N.C., or as alternate choices, in Charlotte, N.C., or Richmond, Va.

No. MC 143679 (Sub-No. 2), filed September 26, 1977. Applicant: WILLIAM GRAF, doing business as WM. GRAF TRUCK LINE, Streeter, N. Dak. 58483. Applicant's representative: Charles E. Johnson, P.O. Box 1982, Bismarck, N. Dak. 58501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and parts and attachments for agricultural implements, and insulation manufacturing plants*, from Jamestown, N. Dak., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and New Mexico; and (2) *iron and steel articles*, from Minneapolis, Minn., to Jamestown, N. Dak., restricted to a transportation service to be performed under a continuing contract or contracts with Haybuster Manufacturing, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Fargo, N. Dak., or Minneapolis, Minn.

No. MC 143718, filed September 28, 1977. Applicant: FRANKLIN OIL CO., INC., Franklin, W. Va. 26807. Applicant's representative: E. E. Hott, Franklin, W. Va. 26807. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products*, in bulk, in tank vehicles, from Harrisonburg, Va., to Franklin, W. Va.; (2) *poly phosphate*, in bulk, in tank vehicles, from Mount Jackson, Va.; and Hopewell, Va., to Franklin, W. Va.; (3) *nitrogen solution*, in bulk, in tank vehicles, from Mount Jackson, Va.; Hopewell, Va.; Baltimore, Md.; and Olean, N.Y., to Franklin, W. Va.; and (4) *molasses*, in bulk, in tank vehicles,

from Baltimore, Md., to Franklin, W. Va., under a continuing contract or contracts with Hott's Feed Mill & Farms, Inc. of Franklin, W. Va.

NOTE.—If a hearing is deemed necessary, the applicant requests it to be held at Charleston, W. Va.

No. MC 143721, filed September 14, 1977. Applicant: CARL E. BOLLINGER, 933 East Walnut Street, Hanover, Pa. 17331. Applicant's representative: John M. Musselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural pulverized limestone*, in bulk, in spreader vehicles or spreader vehicle combinations providing direct application to the soil, from facilities and sales origins utilized by The J. E. Baker Co., in York County, Pa., to points in Maryland.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 143767, filed September 26, 1977. Applicant: GEORGE JOHN KLUM, d.b.a., SOUTH TAHOE DELIVERY SERVICE, 726 Lakeview Avenue, South Lake Tahoe, Calif. 95705. Applicant's representative: Jim Klum, P.O. Box 1440, South Lake Tahoe, Calif. 95705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except in bulk, in tank vehicles), between South Lake Tahoe, Calif., including the Tahoe Valley Airport, points in Washoe County, Nev. on and south of U.S. Highway 395 and Interstate Highway 80, points in Douglas, Storey, and Lyon Counties, Nev., and Carson City, Nev.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Carson City, Nev. or Sacramento, Calif.

No. MC 143768, filed September 27, 1977. Applicant: F. R. ANDERSON, INC., 1700 East Aurora, Des Moines, Iowa. Applicant's representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, over irregular routes, in the transportation of *such commodities* as dealt in by wholesale office supply businesses: (1) From Des Moines, and Davenport, Iowa to points in Illinois; (2) from Des Moines, Iowa to points in Nebraska; (3) from Moline, Ill. to points in Iowa; under contract with Leslie Paper Co. under Parts (1), (2), and (3), above; (4) between Davenport, Iowa on the one hand, and points in Illinois on the other, under contract with Carpenter Paper Co., under Part (4) above; (5) from Cedar Rapids and Des Moines, Iowa to points in Illinois; and (6) from Peoria, Illinois to points in Iowa under contract with Butler Paper Co., Inc. under Parts (5) and (6) above.

NOTE.—If a hearing is deemed necessary, applicant requests that the hearing be held at Omaha, Nebr., Chicago, Ill., or Des Moines, Iowa.

No. MC 143770, filed September 26, 1977. Applicant: LEONARD W. SCHULTZ, d.b.a. LEONARD'S TOWING, 2104 N. Willis Street, Portland, Ore. 97217. Applicant's representative: Jerry R. Woods, Suite 1440, 200 Market Building, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled vehicles, and replacement vehicles* for wrecked and disabled vehicles, by wrecker service only, between points in Multnomah, Clackamas, and Washington Counties, Ore., on the one hand, and, on the other, points in California, Idaho, Montana, and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Portland, Ore.

No. MC 143771, filed September 26, 1977. Applicant: NORTHERN MICHIGAN TRANSIT, INC., 1068 O'Rourke Boulevard, Gaylord, Mich. 49735. Applicant's representative: James R. Davis, 1018 Michigan National Tower, Lansing, Mich. 48933. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, rough and finished, from the port of entry on the United States—Canada Boundary Line at Sault Ste. Marie, Mich., to points in Michigan under a continuing contract or contracts with Austin Lumber (Dalton) Ltd., a subsidiary of Champion Home Builders Co. of Missanbie, Ontario, Canada, restricted to traffic originating at Missanbie, Ontario, Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 143776, filed September 26, 1977. Applicant: C. D. B., INC., 5170 36th Street SE., Grand Rapids, Mich. 49508. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Bananas* from Charleston, S.C. to Grand Rapids, Mich.

NOTE.—Applicant holds motor contract carrier authority in No. MC 143002, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Grand Rapids or Lansing, Mich.

No. MC 143782, filed September 23, 1977. Applicant: W. B. EXPRESS, INC., 621 Main Street, Kokomo, Ind. 46901. Applicant's representative: Jerry Solomon Berger, 433 North Camden Drive, 6th floor, Beverly Hills, Calif. 90210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Toilet preparations*, or materials and supplies used in the manufacturing and distribution of toilet preparations (other than bulk), from plantsite utilized by the Andrew Jergens Co., located at Cincinnati, Ohio, to points in Kansas, Missouri, Oklahoma, Tennessee, Texas, and California, and (2) *Glass containers* from Baltimore, Md., to Cincinnati, Ohio and Burbank,

Calif., under a continuing contract or contracts, with the Andrew Jergens Co., of Cincinnati, Ohio.

NOTE.—If a hearing is deemed necessary the applicant requests it to be held in Cincinnati, Ohio.

No. MC 143783, filed September 26, 1977. Applicant: WILLIAM FROST, d.b.a. FROST TRUCK SERVICE, 1911 Locust Street, St. Louis, Mo. 63103. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Styrofoam*, from St. Louis, Mo., to points in Mississippi, Arkansas, Tennessee, Kentucky, Indiana, Illinois, Iowa, Missouri, Kansas, Oklahoma, and Ohio, under a continuing contract, or contracts, with Foam Fabricators, Inc.; (2) *Polyester fiber* from St. Louis, Mo., to points in Mississippi, Arkansas, Tennessee, Kentucky, Indiana, Illinois, Iowa, Missouri, Kansas, Oklahoma, and Ohio, under a continuing contract, or contracts, with Mid America Fiber Co.; (3) *Fiberglass insulation*, from St. Louis, Mo., to points in Mississippi, Arkansas, Tennessee, Kentucky, Indiana, Illinois, Iowa, Missouri, Kansas, Oklahoma, and Ohio, under a continuing contract with Central Glass Insulations, Inc.; and (4) *Plastic containers*, from Chicago, Ill., to St. Louis, Mo., under a continuing contract, or contracts, with C. L. Smith Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or Jefferson City, Mo.

No. MC 143784, filed: September 23, 1977. Applicant: C. F. MORIARTY & CO., INC., 402 Louisville Air Park, Louisville, Ky. 40213. Applicant's representative: Allison J. Maggilo, 2650 First National Tower, Louisville, Ky. 40202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household goods, electronic parts, appliance parts, heating and air conditioning units, and floor coverings*, between the warehouse facilities of The Collins Co., Inc., located at Louisville, Ky., and Evansville, Newburg, Austin, Paoli, Petersburg, English, Oaktown, Mitchell Seymour, Lanesville, Bedford, North Vernon, Tell City, Boonville, Charlestown, Salem, Marengo, Sellersburg, Jasper, Princeton, Washington, Winslow, West Baden, Cannelton, Brownstown, Vincennes, Oakland City, Bicknell, Logansport, Dale, Rockport, Scottsburg, Palmyra, Ft. Branch, New Albany, Clarksville, and Jeffersonville, Ind.; Ridgeway, Golconda, Metropolis, St. Francisville, Eldorado, Carmi, Grayville, Lawrenceville, Robinson, Wayne City, West Salem, McLeansboro, Mt. Carmel, and Fairfield, Ill., in nonradial movement, under a continuing contract or contracts with the Collins Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Louisville, Ky., or Washington, D.C.

No. MC 143785, filed September 26, 1977. Applicant: B & W TRANSPORTA-

TION INC., 24 Collins Avenue, Randolph, Mass. 02363. Applicant's representative: David M. Marshall, 101 State Street, Suite 304, Springfield, Mass. 01103. Authority sought to operate as a *contract carrier* by motor vehicle, over irregular routes, transporting: *Beer and materials and supplies* used in the distribution thereof, between South Volney and Fulton, N.Y. on the one hand, and, on the other points in Massachusetts, under a continuing contract or contracts with Burke Distributing Corp.

NOTE.—If a hearing is deemed necessary, Applicant requests that it be held at either Boston, Mass. or Washington, D.C.

No. MC 143787, filed September 28, 1977. Applicant: ADMIRAL TRANSPORT CORP., 821 Pulliam Avenue, Worland, Wyo. 82401. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant St. Bldg., Denver, Colo. 80203. Authority sought to operate as a *contract carrier* by motor vehicle, over irregular routes, in the transportation of (1) *Nonalcoholic beverages, materials, equipment and supplies* used in the manufacture of non-alcoholic beverages, from Worland, Wyo., to points in Colorado, Idaho, Montana, Nebraska, Nevada, South Dakota, and Utah; and (2) *new cans and ends, empty bottles, containers, pallets and materials, equipment and supplies* used in the manufacture of non-alcoholic beverages from points in Colorado, Idaho, Montana, Nebraska, Nevada, South Dakota, and Utah to Worland, Wyo., under a continuing contract or contracts with Fremont Beverages, Inc., and Admiral Beverage Corp.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Casper or Cheyenne, Wyo.

No. MC 143788, filed September 28, 1977. Applicant: SEA KING CRABS, INC., 5230 Baltimore National Pike, Baltimore, Md. 21229. Applicant's representative: William J. Little, Suite 1212, W. R. Grace Building, 10 East Baltimore Street, Baltimore, Md. 21202. Authority sought to operate as a *contract carrier* by motor vehicle over irregular routes, transporting: (1) *metal and plastic seafood containers*, (2) *empty wooden boxes*, and (3) *fish bait*. From Baltimore, Md. and Baltimore County, Md. to Coden, Bayou la Batre, Ala.; Harahan, Westwego, Lafitte, Pierre Part, Holly Beach, La Combe, Abbeville, Port Sulphur, La.; Palacios, Tex.; Biloxi, Miss., under a continuing contract with Independent Can Co., Sea King, Inc., and Steel Tin Can Corp., all of Baltimore, Md.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md. or Washington, D.C.

No. MC 143790 (Sub-No. 1), filed September 28, 1977. Applicant: FEDERAL FREIGHT SYSTEM, INC., 30650 Carter Road, Solon, Ohio 44319. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires, tire tube,*

tread rubber and rubber compound, (1) from Mansfield and Shelby, Ohio to points in Georgia, Illinois, Indiana, Iowa, Kentucky, Mississippi, New Jersey, New York, Pennsylvania, and Tennessee and (2) from Memphis, Tenn., and Tupelo, Miss., to points in Iowa, Illinois, Indiana, Kentucky, Ohio, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio. Common control may be involved.

No. MC 143790 (Sub-No. 2), filed September 28, 1977. Applicant: FEDERAL FREIGHT SYSTEM, INC., 30650 Carter Road, Solon, Ohio 44319. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Athletic or sporting goods, athletic clothing, life preservers, games, toys and display racks and accessories for such items*, from Ashland and Wellington, Ohio, to points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

NOTE.—If a hearing is deemed necessary, Applicant requests that it be held at Columbus, Ohio. Common control may be involved.

No. MC 143801, filed September 29, 1977. Applicant: SWANK TRUCKING CO., a corporation, 101 Swank Court, Johnstown, Pa. 15901. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, over irregular routes, transporting: *Fire clay, and refractories and refractory products*, from the plant sites of Swank Refractories Company located in Johnstown (Cambria County), Large (Allegheny County), Clymer (Indiana County), and Irvona (Clearfield County), Pa., and Wellsville and Irondale, Ohio, to points in the United States (excluding Alaska and Hawaii), under continuing contract with Swank Refractories Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 143802, filed September 28, 1977. Applicant: ELROD LEASING & TOWING, INC., 1092 Fleetwood Drive SE., Atlanta, Ga. 30316. Applicant's representative: Ariel V. Conlin, 53 Sixth St. NE., Atlanta, Ga. 30308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled or repossessed motor vehicles, and trailers, and replacements therefor, or salvage, requiring the use of wrecker equipment; and empty motor freight trailers*, between points in Georgia, on the one hand, and Alabama, Florida, North Carolina, Mississippi, South Carolina, and Tennessee, on the other hand.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Atlanta, Ga.

No. MC 110668 (Sub-No. 3), filed September 21, 1977. Applicant: PEORIA CHARTER COACH CO., a corporation,

2600 Northeast Adams Street, Peoria, Ill. 61602. Applicant's representative: Samuel G. Harrod, Eureka Professional Building, Eureka, Ill. 61530. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, between points in Fulton, Peoria, Marshall, Putnam, Bureau and LaSalle Counties, Ill., and extending to 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.

No. MC 143742, filed September 20, 1977. Applicant: MONCTON TRANSIT LIMITED, 280 Pacific Avenue, Moncton, New Brunswick, Canada E1E 2G8. Applicant's representative: Jeremy Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, in round-trip sightseeing, and pleasure tours, beginning and ending at all ports of entry on the United States-Canada International Boundary line, and extending to points in the United States, including Alaska but excluding Hawaii, restricted to transportation beginning and ending in the province of New Brunswick, Canada.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Bangor Maine.

No. MC 143769, filed September 26, 1977. Applicant: KANNAPOLIS TRANSPORT CO., INC., 625 South Main Street, Kannapolis, N.C. 28081. Applicant's representative: Eric Meierhoefer, Suite 712, 1511 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special and charter operations beginning and ending at points in Iredell, Rowan, Mecklenburg, Cabarrus, Stanley, Union, Anson, Richmond, and Montgomery Counties, N.C. extending to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Charlotte, N.C.

No. FF-498 (Amendment), filed June 8, 1977, published in the FEDERAL REGISTER issue of July 28, 1977, and republished as amended this issue. Applicant: CHAPMAN FREIGHT FORWARDING, INC., 5259 North Tigua, Tucson, Ariz. 85705. Applicant's representative: Michael J. Stecher, 256 Montgomery Street, San Francisco, Calif. 94104. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through the use of the facilities of common carriers by motor vehicle and rail, in the transportation of general commodities, (except in bulk), between San Bernardino, Los Angeles, Orange, San Diego, Ventura, Riverside, Kern, San Luis Obispo, Imperial, and

Santa Barbara Counties, Calif., on the one hand, and, on the other, points in Arizona.

NOTE.—The purpose of this republication is to indicate (1) that the facilities are to be used by common carriers by rail as well as motor vehicle, and (2) that the commodities are restricted against bulk. If a hearing is deemed necessary, the applicant requests that it be held at either Los Angeles, Calif. or Phoenix, Ariz.

No. FF 503, filed September 28, 1977. Applicant: THRU CONTAINER CORP., 55 Goodrich Street, Staten Island, N.Y. 10303. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Avenue, Harrison, N.Y. 10528. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder* through use of the facilities of common carriers by railroad, motor vehicle, water and express, in the transportation of *general commodities*, between points in New Jersey and New York.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. W-586 (Sub-No. 8), filed September 14, 1977. Applicant: PUGET SOUND TUG & BARGE CO., a corporation, 1102 S.W. Massachusetts Street, Seattle, Wash. 98134. Applicant's representative: John Cunningham, 1776 F Street NW., Suite 500, Washington, D.C. 20006. Authority sought to operate as a *common carrier by water*, by self-propelled vessels, in the transportation of articles exceeding 19 feet in height, or 12 feet in width, or 90 feet in length, or 100 net tons in weight, component parts thereof, and related equipment, (a) Between ports and points on the Atlantic and Gulf of Mexico coasts and tributary waterways (excluding the Mississippi River System above Baton Rouge, La.), on the one hand, and, on the other, ports and points along the Pacific coast and tributary waterways; (b) Between ports and points along the Atlantic coast and tributary waterways, on the one hand, and, on the other, ports and points on the Gulf of Mexico coast and tributary waterways (excluding the Mississippi River System above Baton Rouge, La.).

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at San Francisco, Calif., or at Washington, D.C. Common control may be involved.

FINANCE APPLICATIONS NOTICE

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, or rail carriers or motor carriers pursuant to Sections 5(2) and 210a(b) of the Interstate Commerce Act.

An original and two copies of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this Federal Register notice. Such protests shall comply with Special Rules 240(c) or 240(d) of the Commission's General Rules of Practice (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the

proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

No. MC-F-13382. Authority sought for purchase by RAHIER TRUCKING INC. of 1822 S. First Street, Yakima, Wash. 98903, of a portion of the operating rights of Herrett Trucking Co., Inc., P.O. Box 1436, Yakima, Wash. 98907. Applicant's attorney: Jack R. Davis, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to be acquired: *Fresh fruits and vegetables* from points in Yakima, Benton, and Kittitas Counties, Wash., to points in California, and those in Oregon on and west of U.S. Highway 97, from points in California and those in Multnomah County, Oreg., to points in Yakima, Benton, and Kittitas Counties, Wash., over irregular routes. *Building materials*, between Walla Walla, Wash., and Portland, Oreg., serving no intermediate points over regular route; from Walla Walla over U.S. Highway 30 to Portland and return over the same route. Vendee is authorized to operate as a common carrier in Washington, Oregon, Arizona and California. Application has not been filed for temporary authority under section 210a(b).

NOTE.—MC 123556 (Sub-No. 8), is a directly related matter.

No. MC-F-13389. Authority sought for purchase by MATSON TRUCK LINES, INC., 1407 St. John Avenue, P.O. Box 328, Albert Lea, Minn. 56007, of a portion of the operating rights of Jack Link Truck Line, Inc., of Dyersville, Iowa 52040, and for acquisition by Dale E. Matson, of Albert Lea, Minn. 56007, of control of such rights through the transaction. Applicants' attorneys: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402 and Scott E. Daniel, P.O. Box 82028, Lincoln, Nebr. 68501. Operating rights sought to be transferred: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), as a *common carrier* over irregular routes, from the plant sites and storage facilities utilized by the Wilson & Co., Inc., at Albert Lea, Minn., and Cedar Rapids, Iowa, to points in Indiana, Michigan, and Ohio, with no transportation for compensation on return except as otherwise authorized with restriction. Vendee is authorized to operate as a *common carrier* in all the States in the United States including Alaska, but excluding Hawaii. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-13395. Authority sought by BENDER & LOUDON MOTOR FREIGHT, INC., 3024 Brecksville Road, Richfield, Ohio 44286 to control and merge the operating rights and properties of Lima Trucking Co., P.O. Box 81, Beaver Dam, Ohio 45808, and also for acquisition by Robert C. Bender, Elizabeth L. Bender, Gail B. Mell, and Jean B.

Preston, Trustee of control of such rights through the transaction. Applicants' attorney: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Operating rights sought to be merged: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between points in Allen County, Ohio, on the one hand, and, on the other, points in that part of Ohio west of a line beginning at Sandusky, Ohio, and extending along U.S. Highway 250 to Wilmot, Ohio, thence along U.S. Highway 62 to Washington Court House, Ohio, thence along U.S. Highway 22 to Sligo, Ohio, thence along an unnumbered highway (formerly U.S. Highway 22) via Clarksville, Ohio, to junction U.S. Highway 22, and thence along U.S. Highway 22 to the Ohio-Kentucky State line, including points on the indicated portions of the highways specified; and (2) between Lima, Ohio, on the one hand, and, on the other, points within five miles of Lima, Ohio. Vendee is authorized to operate over regular and irregular routes in No. MC 3151 in the states of Indiana, Michigan, and Ohio. Application has been filed for temporary authority under Section 210a(b).

NOTE.—MC 3151 Sub 20 is a directly related matter.

No. MC-F-13396. Authority sought for purchase by ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901, of a portion of the operating rights of AKERS MOTORS LINES, INC., P.O. Box 10303, Charlotte, N.C. 28237, and for acquisition by Arkansas Best Corporation, also of Fort Smith, Arkansas, of control of the rights through the purchase. Transferor's attorney: Leonard A. Jaskiewicz, Suite 501, 1730 M Street, N.W., Washington, D.C. 20036. Transferee's attorney: Thomas Harper, 510 North Greenwood, P.O. Box 43, Fort Smith, Ark. 72902. Operating rights sought to be purchased: *General commodities*, with exceptions, as a common carrier over regular routes between New York, N.Y. and Raleigh, N.C. over U.S. Highway 1, more fully described in Certificate No. MC 72442 (Sub-No. 4). Transferee is authorized to operate pursuant to Certificate No. MC 29910 and Subs as a common carrier of general and specific commodities in the States of Alabama, Arizona, Arkansas, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wisconsin. Approval of the proposed transaction will not result in a split of operating authority or dual operations. Application for temporary authority has been filed under section 210a(b) and, otherwise, this application is unrelated to any pending or simultaneously filed application.

No. MC-F-13398. Authority sought by SMITH'S TRANSFER CORPORATION, P.O. Box 100, Staunton, Va. 24401, to purchase a portion of the operating rights of M & M TRANSPORTATION COMPANY (debtor-in-possession), 750 Third Avenue, New York, N.Y. 10017, and for acquisition by R. R. Smith, P.O. Box 1000, Staunton, Va. 24401, of control of such rights through the transaction. Applicants attorneys: Francis W. McInerney, MacDonald & McInerney, 1000 Sixteenth Street, N.W., Washington, D.C. 20036, Donald L. Caldera, vice president, M&M Transportation Company (debtor-in-possession), 750 Third Avenue, New York, N.Y. 10017, and Herbert Burstein, Zelby, Burstein & Burstein, One World Trade Center, New York, New York 10048. Operating rights sought to be purchased: *General commodities*, with exceptions as a common carrier over regular routes, between Albany, N.Y., and Yonkers, N.Y., serving all intermediate points, and the off-route points of Amenia, Annandale, Beacon, Billings, Blue Stores, Brewster, Carmel, Cold Spring, Dover Plains, Fishkill Plains, Germantown, Hawthorne, Highland, Hopewell Junction, Kingston, Babbettsville, Mahopac, Milbrook, Millerton, Newburgh, New Paltz, Patterson, Pawling, Pine Plains, Pleasant Valley, Poughquag, Red Hook, Shekomeko, Stanfordville, Stottville, Verbank, Verplanck, Walden, Wassaic, and Wingdale, N.Y.: from Albany over U.S. Highway 9 to Yonkers, and return over the same route. General commodities with exceptions as a common carrier over irregular routes, from points in Dutchess County, N.Y., to points in Onondaga County, N.Y., with no transportation for compensation on return except as otherwise authorized, between points in Dutchess County, N.Y., from points in Westchester County, N.Y., to points in Orange County, N.Y., with no transportation for compensation on return except as otherwise authorized, with restrictions, moving in mixed loads with fish, including shellfish, from Gloucester, Mass., and Boston, Mass., to points in the described area. Vendee is authorized to operate as a common carrier in Alabama, Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Arkansas, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Kentucky, South Carolina, South Dakota, Tennessee, Virginia, West Virginia and Wisconsin.

No. MC-F-13399. Authority sought for purchase by ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078, of a portion of the operating rights of GLOSSON MOTOR LINES, INC. (Charles E. Herbert, trustee), P.O. Box 1328, Lexington, N.C. 27292 and for acquisition by Roy C. Stone, 1013 Sheraton Ct., Martinsville, Va. and J. E. Bassett, of Bassett, Va., of control of such rights through the trans-

action. Operating rights sought to be purchased: *New furniture*, as a common carrier over irregular routes from points in that part of North Carolina on, east and south of a line beginning at the Virginia-North Carolina State Line and extending along U.S. Highway 29 to Reidsville, North Carolina, thence along U.S. Highway 158 to Mocksville, North Carolina, thence along U.S. Highway 64 to Statesville, North Carolina, thence along U.S. Highway 21 to Charlotte, North Carolina, and, thence along U.S. Highway 29 to the North Carolina-South Carolina State Line to points in Maryland, Virginia, New York, New Jersey, Pennsylvania, Connecticut, Maine, Rhode Island, New Hampshire, Vermont, Massachusetts, Delaware and the District of Columbia; *New furniture*, crated and uncrated, as described in Appendix II to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from Mount Airy, N.C., to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Maryland (except points in the Baltimore, Md., Commercial Zone, as defined by the Commission, Cockeysville, Laurel, Annapolis, Sparrows Point, and that part of Maryland within the Washington, D.C., Commercial Zone, as defined by the Commission), with no transportation for compensation on return except as otherwise authorized; *New furniture*, from Lexington, N.C., to points and places in New York except to New York, N.Y. and points and places in New York within 15 miles of New York, N.Y.; *New furniture*, from Ronda, N.C., to points in Delaware, Maryland, Pennsylvania, New Jersey, New York, Rhode Island, Massachusetts, Connecticut, Maine, Vermont, New Hampshire, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized; *New furniture*, from Elkin, N.C., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, with no transportation for compensation on return except as otherwise authorized; *New furniture*, from points in North Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties, to points in New York, New Jersey, Pennsylvania, Connecticut, Maine, Rhode Island, New Hampshire, Vermont, Massachusetts, Delaware, and Maryland (except Baltimore, Laurel, Annapolis, Sparrows Point, Cockeysville, and points in their respective commercial zones as defined by the Commission and also that part of Maryland within the Washington, D.C., Commercial Zone as defined by the Commission), with no transportation for compensation on return except as otherwise authorized; *Juice and beverages*, except commodities in bulk, from points in Florida, to points in North Carolina, South Carolina, and Georgia, with no transportation for compensation on return except as otherwise authorized with restriction; *Fruit and vegetable crystals*, from Lake

Wales, Florida, to points in North Carolina, South Carolina, and Georgia, with no transportation for compensation on return except as otherwise authorized. Application has been filed for temporary authority under section 210a(b).

No. MC-F-13400. Authority sought for purchase by OVERNITE TRANSPORTATION COMPANY, 1000 Semmes Avenue, Richmond, Va. 23224 of the operating rights of ST. LOUIS KANSAS CITY EXPRESS, INC., and for acquisition by J. Harwood Cochran, of the Richmond, Va. 23224, address, of control of such rights through the purchase. Applicants' attorneys: Eugene T. Lipfert, 1660 L Street, NW., Washington, D.C. 20036, and Harry Horak, 5001 Brentwood Stair Rd., Room 409, Ft. Worth, Tex. 76112. Operating rights and property sought to be transferred; General commodities, with the usual exceptions over regular routes (1) between Union, Mo., and Kansas City, Kans., over U.S. Highway 50 serving intermediate points of Jeffriesburg, Beaufort, Leslie, Sedalia, Gerald, Rosebud, Drake, Mt. Sterling, Loose Creek, Schubert, Tipton, California, and Kansas City, Mo., and off-route points of Bend, Bay, Cooper Hill, Hope, Frankenstein, Ryors, Taos, Freedom, Swiss, Rich Fountain and Luystown, Mo.; (2) between Rosebud, Mo., and Kansas City, Kans., over Missouri Highway 28 to junction U.S. Highway 63 thence over U.S. Highway 50 to junction U.S. Highway 50 to Kansas City serving the intermediate points of Owensville, Canaan, Bland, Belle, Lanes Prairie, Vichy Federal Air Port, Vienna, Freeburg, Westphalia, and Kansas City, Mo., and the off-route points of Vichy, Lindell, the plant site of the Kingsford Charcoal Co., about 5 miles south of Belle, Argyle, Koeltztown, and Loose Creek, Mo.; (3) between Tipton, Mo., and E. St. Louis, Ill., over U.S. Highway 50 to junction U.S. Highway 66 at or near Gray Summit, Mo., thence over U.S. Highway 66 to E. St. Louis, serving the intermediate and off-route points of St. Louis, Cartertown, Prairie Home, and Marion Township, Mo., points in Moniteau County, Mo., and points in St. Clair County, Ill.; (4) between Loose Creek, Mo., and St. Louis, Mo., over U.S. Highway 50 serving the intermediate point of Freedom, Mo., and the off-route points of Cooper Hill, Hope, Rich Fountain, Connotts Mill, Frankenstein, and Luystown, Mo.; (5) between Jefferson City, Mo., and National City, Ill., over U.S. Highway 50 via Rosebud to junction U.S. Highway 66 at or near Gray Summit, Mo., thence over U.S. Highway 66 to E. St. Louis, Ill., and thence over city streets to National City, Ill., serving the intermediate and off-route points of Loose Creek, Linn, Mount Sterling, Drake, Rosebud, Westphalia, Freeburg, Vienna, Vichy, Lanes Prairie, Belle, Bland, Canaan, Owensville, St. Louis, Schubert, Useful, Taos, Ryors, Bay, Swiss, Cooper Hill, Lindell, Rich Fountain, Argyle, Koeltztown, and Bend, Mo., Hope Osage County, Mo., and points in the St. Louis, Mo., commercial zone, as defined by the Commission.

(6) Between Belle, Mo., and the plant-site of Kingsford Charcoal Company approximately 6 miles southwest of Belle, Mo., over Missouri Highway 28 to junction unnumbered highway, thence over unnumbered highway to plant-site; (7) from National Stockyards, Ill., to Lohman, Mo., over unnumbered highway to junction U.S. Highway 54, thence over U.S. Highway 54 to Jefferson City, Mo., thence over U.S. Highway 50 to junction Missouri Highway 100 near Gray Summit, Mo., thence over Missouri Highway 100 to St. Louis, Mo., thence over U.S. Highway 50 to E. St. Louis, Ill., thence over city streets to National Stockyards, serving the intermediate points of E. St. Louis and St. Louis and intermediate and off-route points within 15 miles of Lohman; (8) livestock and poultry from Lohman, Mo., to National Stockyards, Ill., over the same routes and serving the same intermediate and off-route points described in (7) above; (9) Charcoal and charcoal briquettes, in bags or in bulk from Meta, Mo., to Kansas City, Kan., over Missouri Highway 133 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction U.S. Highway 50 thence over U.S. Highway 50 to Kansas City; (10) ballistic missile and launching sites, and supply points therefor located in Johnson, Pettis, Henry, Morgan and Cooper County, Mo., are authorized as intermediate and off-route points in connection with authority described in subparagraphs (1) through (6), inclusive, except Sedalia, Mo. Irregular routes, (1) general commodities with the usual exception between Centertown, Prairie Home, and points in Marion Township, Mo., and those in Moniteau County, Mo., on the one hand, and, on the other, points in Wyandotte County, Kans.; (2) livestock between Loose Creek, Mo., and points within 15 miles of Loose Creek, Mo., on the one hand, and, on the other, National Stockyards, Ill.; (3) household goods between points in Marion Township, Mo., and those in Moniteau County, Mo., on the one hand, and, on the other, points in Oklahoma and Iowa; and (4) feed and fertilizer from East St. Louis, Ill., to Loose Creek, Mo., and points within 15 miles of Loose Creek, Mo. Vendee is authorized to operate as a common carrier in Alabama, Florida, Tennessee, North Carolina, South Carolina, Kentucky, Virginia, West Virginia, Ohio, Delaware, Maryland, New Jersey, Georgia, and Indiana. Application has been filed for temporary authority under section 210a(b).

No. MC-F-13401. Authority sought for THE MASON AND DIXON LINES, INCORPORATED, Eastman Road, P.O. Box 969, Kingsport, Tenn. 37662, to purchase a portion of the operating rights of M & M TRANSPORTATION COMPANY (debtor-in-possession), 750 Third Avenue, New York, N.Y. 10017, and for acquisition by E. William King, P.O. Box 969, Kingsport, Tenn. 37662, John R. King, P.O. Box 969, Kingsport, Tenn. 37662, and M. K. Norris, 1400 Belmeade Place, Kingsport, Tenn. 37660, of control of such rights through the transaction. Applicants' representatives: Kim D.

Mann, Esquire, 7101 Wisconsin Ave., Washington, D.C. 20014; Donald L. Caldera, vice-president, M & M Transportation Company (debtor-in-possession), 750 Third Avenue, New York, N.Y. 10017; and Herbert Burstein, Esquire, Zelby, Burstein & Bernstein, One World Trade Center, New York, N.Y. 10048. Operating rights sought to be acquired; General commodities, with exceptions, (1) regular routes in Connecticut, serving all intermediate points and those within 5 miles of such routes as off-route points, between New Haven and Hartford, Greenwich, Torrington, and Pawcatuck; between Bristol and junction U.S. Highway 5 and Conn. Highway 72; and between Norwich and New London and junction U.S. Highway 1 and Conn. Highway 12; restricted (a) to shipments moving between New Haven or West Haven, on the one hand, and, on the other, points in Connecticut, (b) against service at off-route outside Connecticut, and (c) against service at portions of commercial zones outside Connecticut; (2) regular routes in Massachusetts, serving all intermediate points and those within 5 miles of such routes as off-route points, between Worcester and Ashburnham, Gardner, Orange, and Ware; between Fitchburg and Lunenburg; between West Boylston and Erving; between West Brookfield and West Warren; between Springfield and Palmer, South Hadley, Turner Falls, Southwick, and Russell; between Monson and Three Rivers; between Easthampton and Mt. Tom and junction U.S. Highway 5 and Mass. Highway 116; between Southwick and junction U.S. Highway 202 and Mass. Highway 116; between Russell and Williamstown; and between Pittsfield and Dalton; restricted (a) against shipments moving between any two Massachusetts points, (b) to shipments moving between points west of Cape Cod Canal, (c) against service between Pittsfield, Mass., and Philadelphia, Pa., (d) against service at off-route points outside Massachusetts, and (e) against service at portions of commercial zones outside Massachusetts; and

(3) Irregular routes, between New Haven, Conn., on the one hand, and on the other, points in Connecticut; and between points in Massachusetts west of the Cape Cod Canal, restricted against service between Pittsfield, Mass., and Philadelphia, Pa. and against local service between any two points in Massachusetts on or east of Mass. Highway 12. Vendee is authorized to operate as a common carrier in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, and West Virginia. Application has been filed temporary authority under section 210a(b) of the Act.

No. MC-F-13404. Authority sought for purchase by GREEN FIELD TRANSPORT COMPANY, INC., 3225 Fifth

Avenue South, P.O. Box 1235, Fort Dodge, Iowa 50501, of the operating rights of DAKOTA EXPRESS, INC., 550 East 5th Street South, South St. Paul, Minn. 55075, and for acquisition by Robert D. McMahon, 1439 North 7th Street, Fort Dodge, Iowa 50501, of control of such rights through the transaction. Applicants' representatives: D. L. Robson, Vice President, Operations, P.O. Box 1235, Fort Dodge, Iowa 50501, and K. O. Petrick, Vice President, Traffic and Commerce, 550 E. 5th Street South, St. Paul, Minn. 55075. Operating rights sought to be transferred: *Foodstuffs in containers*, as a common carrier over irregular routes, from the facilities of Jenos, Inc., at or near Sodus, Mich., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota, with no transportation for compensation on return except as otherwise authorized, with restrictions. Vendee is presently authorized to operate as a common carrier under Certificate No. MC 119741 and subs thereafter in the States of Illinois, Kansas, Missouri, Iowa, Nebraska, Wisconsin, Minnesota, Indiana, Ohio, Connecticut, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia, West Virginia, the District of Columbia, Kentucky, Michigan, North Dakota, South Dakota, Colorado, Oklahoma, and Texas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-13405. Authority sought for purchase by WELESKI TRANSFER, INC., 140 W. 4th Avenue, Tarentum, Pa. 15084, on the operating rights of Lucille Harrington, executrix of the Estate of Paul A. Harrington and Ellen F. Bieberstein d.b.a. HARRINGTON & COMPANY, 134 Singer Avenue, McKees Rocks, Pa. 15136, and for acquisition by Anthony L. Weleski, 140 W. 4th Avenue, Tarentum, Pa. 15084, of control of such rights through the purchase. Applicant's attorney, John A. Vuono; Stanley E. Levine, 2310 Grant Bldg., Pittsburgh, Pa. 15219 for transferee; Samuel M. Pasquarelli, 2000 Lawyers Bldg., Pittsburgh, Pa. 15219, for transferor. Operating rights sought to be transferred: Under its certificate of public convenience and necessity at Docket No. MC 36616 and MC 36616 (Sub-No. 4G), covering the transportation of household goods over radial, irregular routes between Allegheny County, Pa. and other points in Western Pennsylvania on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia; between points in Somerset, Monmouth, Middlesex and Ocean Counties, New Jersey, on the one hand, and, on the other, points in the New England states, North and South Carolina, Georgia, Florida and Ohio; from Florida, Georgia, North Carolina and South Carolina to points in New Jersey, New York, Long Island and points of West Chester County, New York. Vendee is authorized to operate as a common carrier in Pennsylvania, Ohio, Maryland,

Indiana, Illinois, Michigan, West Virginia, Virginia, New York, New Jersey and the District of Columbia. Application has been filed for temporary authority under Section 210a(b). No tackling of irregular routes is sought.

No. MC-F-13407. Authority sought for control by TCI, INC., 740 W. Third Street, Cincinnati, Ohio 45203, of WAREHOUSE TRANSPORTATION CO., INC., P. O. Box 84, Urbana, Ohio 43078, and for acquisition of the stock by TCI, INC. Applicant's attorney: Paul F. Beery Co., L.P.A., 275 E. State St., Columbus, Ohio 43215. Operating rights sought to be controlled: *Janitorial supplies, food, plastic cooking bags; starches; materials, supplies and equipment used in the manufacture, distribution or sale of the aforementioned commodities; iron and steel cans; and metal containers*, as a contract carrier for The Drackett Products Company, over irregular routes, from, to, and between Cincinnati, Newtown, and Urbana, Ohio; Franklin, Ky.; Bedford Park and Peoria, Ill.; Memphis, Tenn.; Atlanta, Ga.; and Jacksonville, Fla., as more fully described in Permit No. MC-138068. TCI, INC. operates as a common carrier pursuant to Certificate No. MC 142703, transporting: *General Commodities* (with the usual exception) between Cincinnati, Ohio, on the one hand, and, on the other, points in Ohio and the lower peninsula of Michigan, restricted to shipments having a prior to subsequent movement by rail or water. The officers of TCI, INC. hold stock in Alpha Trucking, Inc., which is subject to the Interstate Commerce Act, and which operates pursuant to MC-FC-76437. Alpha Trucking, Inc. cannot serve the same shippers or consignees served by Warehouse Transportation Co., Inc. An application has been filed for temporary control under 210a(b).

No. MC-F-13408. Authority sought for AAA COOPER TRANSPORTATION, P.O. Box 2207, Dothan, Ala. 36301, to purchase a portion of the operating rights of EASTERN EXPRESS, INC. (debtor-in-possession), 1450 Wabash Avenue, Terre Haute, Ind. 47808, and for acquisition by G. Mack Dove, P.O. Box 2207, Dothan, Ala. 36301 and S. Earl Dove, P.O. Box 2013, Montgomery, Ala. 36103, of control of such rights through the transaction. Applicant's representative: Kim D. Mann, esquire, 7101 Wisconsin Ave., Washington, D.C. 20014; Roland Rice, esquire, 1111 E Street, NW., Washington, D.C. 20004. Operating rights sought to be acquired: *General commodities*, with usual exceptions (1) over irregular routes between Augusta and Albany, Ga., Augusta and Atlanta, Ga., Albany and Columbus, Ga., Albany and Atlanta, Ga., Columbus and Atlanta, Ga., Augusta, Ga. and Greer, S.C., Athens, Ga. and Charlotte, N.C., Charlotte and Greensboro, N.C., Charlotte and Raleigh, N.C., Charlotte and Winston-Salem, N.C., Greer, S.C., and Asheville, N.C., and Raleigh and

Durham, N.C.; serving Augusta, Ga. for purposes of joinder only; serving all intermediate points in North Carolina; serving intermediate points on U.S. Highway 29 in South Carolina and in Georgia north of Atlanta; serving intermediate points between Greenville and Greer; and serving as off-route points Chattanooga, Tenn., Macon, Ga., points in Georgia between Augusta and Albany, Albany and Columbus, Albany and Atlanta, and Columbus and Atlanta, and those in North Carolina between Greensboro and Druman; and restricted to the transportation of traffic serving (a) between points in North Carolina, on the one hand, and, on the other, those points in that part of South Carolina on and north of a line beginning at Charleston and extending along U.S. Highway 78 to junction U.S. Highway 178, thence along U.S. Highway 178 to Anderson, and thence along U.S. Highway 29 to the South Carolina-Georgia State line, (b) from Charleston, S.C., to points in that part of South Carolina as specified in (a) above with no transportation on return except as otherwise authorized, (c) between Wilmington, N.C., on the one hand, and on the other, points in North Carolina, (d) between Columbus, S.C., on the one hand, and, on the other, points in Georgia in connection with traffic moving from, to, or through Atlanta, Ga., (e) between Charlotte, N.C., on the one hand, and, on the other, points in Georgia in connection with traffic moving from, to, or through Atlanta, Ga., (f) between Augusta and Savannah, Ga., on the one hand, and, on the other, points in Georgia and South Carolina, or (g) between Augusta and Savannah, Ga., Richmond, Va., and points in North Carolina, on the one hand, and, on the other, points in Richland, Lexington, and Calhoun Counties, S.C.; and (2) over irregular routes between Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala. Vendee is authorized to operate as a common carrier in the states of Alabama, Georgia, Florida, Louisiana, and Mississippi. Application has been filed for temporary authority under section 210a(b) of the Act.

NOTE.—MC 55889 (Sub-No. 46) is a directly related matter.

No. MC-F-13412. Authority sought for purchase by SHERMAN & BODDIE, INC., P.O. Box 621, Oxford, N.C. 27565, of a portion of the operating rights of GLOSSON MOTOR LINES, INC. (Charles E. Herbert, trustee in bankruptcy), and for acquisition by S. G. Slaughter and Harold L. Sherman, also of Oxford, N.C., of control of rights through the purchase. Applicant's attorneys: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303, for transferee; and Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301, and Frank P. Holton, Jr., P.O. Box 1124, Lexington, N.C. 27292, for transferor. Operating rights sought to be purchased: Cotton yarn, from points in North Carolina to Elmira Heights, N.Y.; from Gastonia,

N.C., to Elmira, N.Y.; from Salisbury, Landis, McAdenville, Henderson, N.C., and points and places within 1 mile each of Henderson and Salisbury to Elmira, Norwich, and New York, N.Y., points and places in New York within 15 miles of New York, N.Y., points and places in that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line and extending along U.S. Highway 11 to Shamokin Dam, Pa., and thence along U.S. Highway 15 to the New York-Pennsylvania State line, and all points and places in New Jersey; from Lexington, N.C., to Elmira and Norwich, N.Y.; from points in North Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties, to Elmira and Norwich, N.Y. Yarn, from Thomasville and Lexington, N.C., to New York, N.Y., and points in New York within 15 miles of New York City, Wilmington, Del., points in Maryland, Virginia, New Jersey, Pennsylvania, and the District of Columbia; from points in North Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties to New York, N.Y., and points in New York within 15 miles of New York City, Wilmington, Del., and points in Maryland, New Jersey, Pennsylvania, and the District of Columbia.

Cotton piece goods, from Landis and Salisbury, N.C., and points within 5 miles of Salisbury, to Washington, D.C., Baltimore, Md., Wilmington, Del., Garnerville, N.Y., New York, N.Y., and points in New York within 15 miles of New York City points in New Jersey, and those in Pennsylvania on and east of U.S. Highway 11; from points in North Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties to Washington, D.C., Baltimore, Md., Wilmington, Del., Carnersville, N.Y., New York, N.Y., and points in New York within 15 miles of New York City, points in New Jersey and those in that part of Pennsylvania on and east of U.S. Highway 11; Cotton knit goods, from Landis, N.C., to Washington, D.C., Baltimore, Md., Wilmington, Del., Garnerville, N.Y., New York, N.Y., and points in New York within 15 miles of New York City, points in New Jersey, and those in Pennsylvania on and east of U.S. Highway 11; from points in North Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties to Washington, D.C., Baltimore, Md., Wilmington, Del., Carnersville, N.Y., New York, N.Y., and points in New York within 15 miles of New York City, points in New Jersey and those in that part of Pennsylvania on and east of U.S. Highway 11. Chenille piece goods, from Salisbury and points within five miles thereof to Washington, D.C., Baltimore, Md., Wilmington, Del., Garnerville, N.Y., New York, N.Y., and points in New York within 15 miles of New York City, points in New Jersey, and those in Pennsylvania on and east of U.S. Highway 11; from points in North

Carolina east of Transylvania, Haywood, Madison, Yancey, Mitchell, Avery, Watauga, Ashe, and Alleghany Counties to Washington, D.C., Baltimore, Md., Wilmington, Del., Carnersville, N.Y., New York, N.Y., and points in New York within 15 miles of New York City, points in New Jersey and those in that part of Pennsylvania on and east of U.S. Highway 11. Transferee is authorized to operate as a common carrier from or to certain named points or states in the southeastern and northeastern United States pursuant to authority issued in MC-127810. Approval of the proposed transaction will result in transferee acquiring duplicating authority between some common points in North Carolina, Maryland, New Jersey, New York, Pennsylvania, and Virginia. Application has been filed for temporary authority under Section 210a(b).

OPERATING RIGHTS APPLICATION(S) DIRECTLY RELATED TO FINANCE PROCEEDINGS NOTICE

The following operating rights application(s) are filed in connection with pending finance applications under Section 5(2) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with transfer applications under Section 212(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the authorities must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protests shall comply with Special Rules 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon applicant's representative, or applicant if no representative is named.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 730 (Sub-No. 409), filed October 31, 1977. Applicant: PACIFIC INTRAMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, P.O. Box 958, Oakland, Calif. 94612. Applicant's representatives: John C. Bradley, Suite 1301, 1600 Wilson Boulevard, Arlington, Va. 22209. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Ash Fork, Ariz., as an off-route point in connection with carrier's authorized regular-route operations.

NOTE. This is a matter related to a Section 5(2) proceeding in MC-F-13194, published in the FEDERAL REGISTER issue of April 28, 1977. Common control may be involved. If

a hearing is deemed necessary, applicant requests that it be held in Washington, D.C.

No. MC 55889 (Sub-No. 46), filed November 2, 1977. Applicant: AAA COOPER TRANSPORTATION (a corporation), P.O. Box 2207, Dothan, Ala. 36301. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. 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 Edgefield, S.C., and Thomson, Ga., serving Edgefield and Thomson for purposes of joinder only: from Edgefield over U.S. Highway 25 to Augusta, Ga., thence over U.S. Highway 78 to Thomson, and return over the same routes; (2) between East Dublin and Dublin, Ga., serving East Dublin and Dublin for purposes of joinder only: from East Dublin over U.S. Highway 319 to Dublin and return over the same route; (3) between Atlanta and Griffin, Ga., serving Griffin for purposes of joinder only: from Atlanta over U.S. Highway 19 to Griffin and return over the same route; serving as off-route points in connection with carrier's regular-route authority in routes (1) through (3) above: (a) Macon, Ga., (b) all points in Georgia between Albany and Dawson on U.S. Highway 82, including Albany and Dawson, between Dawson and Columbus on Georgia Highway 55 to junction U.S. Highway 280 and thence on U.S. Highway 280 to Columbus, including Columbus, between Albany and Atlanta on U.S. Highway 19, including Atlanta, and between Columbus and Atlanta on Georgia Highway 85, and (c) all points in North Carolina between Greensboro and Durham on U.S. Highway 70, including Greensboro and Durham. The operations in routes (1) through (3) above are restricted to the transportation of traffic serving (a) between points in North Carolina, on the one hand, and, on the other, those points in that part of South Carolina on and north of a line beginning at Charleston and extending along U.S. Highway 78 to junction U.S. Highway 178, thence along U.S. Highway 178 to Anderson, and thence along U.S. Highway 29 to the South Carolina-Georgia State line, (b) from Charleston, S.C., to points in that part of South Carolina as specified in (a) above with no transportation on return except as otherwise authorized, (c) between Wilmington, N.C., on the one hand, and, on the other, points in North Carolina, (d) between Columbia, S.C., on the one hand, and, on the other, points in Georgia in connection with traffic moving from, to, or through Atlanta, Ga., (e) between Charlotte, N.C., on the one hand, and, on the other, points in Georgia in connection with traffic moving from, to, or through Atlanta, Ga., (f) between Augusta and Savannah, Ga., on the one hand, and, on the other, points in Georgia and South Carolina, or (g) between Augusta and

Savannah, Ga., Richmond, Va., and points in North Carolina, on the one hand, and, on the other, points in Richland, Lexington, and Calhoun Counties, S.C.

NOTE.—This application is directly related to the application in MC-F-13408, published in a previous section of this FEDERAL REGISTER. Applicant states that this application, filed out of an abundance of caution, seeks to preserve small route segments possibly duplicating in some respects route segments of Eastern Express to be acquired by other vendees. If a hearing is deemed necessary, applicant requests that it be held in Washington, D.C., or Montgomery, Ala.

ABANDONMENT APPLICATIONS

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act that orders have been entered in the following abandonment applications which are administratively final and which found that subject to conditions the present and future public convenience and necessity permit abandonment.

A Certificate of Abandonment will be issued to the applicant carriers 30 days after this FEDERAL REGISTER publication unless the instructions set forth in the notices are followed.

[Docket No. AB-12 (Sub-No. 40)]

SOUTHERN PACIFIC TRANSPORTATION COMPANY ABANDONMENT BETWEEN SACRAMENTO AND HOOD IN SACRAMENTO COUNTY, CALIFORNIA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on September 2, 1977, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment—Goshen*, 354 I.C.C. 76 (1977) and for public use as set forth in said order, the present and future public convenience and necessity permit the abandonment by the Southern Pacific Transportation Company of the line of railroad extending from milepost 91.10 near Sacramento in a southerly direction to the end of the branch at milepost 104.96 near Hood, a distance of 13.86 miles, in Sacramento County, California. A certificate of abandonment will be issued to the Southern Pacific Transportation Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-12 (Sub-No. 49)]

SOUTHERN PACIFIC TRANSPORTATION CO. ABANDONMENT BETWEEN REDLANDS, 2D STREET AND CRAFTON IN SAN BERNARDINO COUNTY, CALIF.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on August 30, 1977, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment—Goshen*, 354 I.C.C. 76, and for public use as set forth in said order, and further, that applicant shall prior to commencement of salvage activities on the Lincoln Avenue Railroad Bridge consult with the office of Historic Preservation of the California Department of Parks and Recreation and shall take all reasonable measures recommended by their office to ensure the salvage activities do not adversely affect the historic character of the "Zanja", the present and future public convenience and necessity permit the abandonment by the Southern Pacific Transportation Co. of its branch line extending from milepost 547.86 near Redlands, 2d Street to the end of the branch at milepost 551.57 near Crafton, San Bernardino County, Calif. A certificate of abandonment will be issued to the Southern Pacific Transportation Co. based on the

above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-43 (Sub-No. 23)]

ILLINOIS CENTRAL GULF RAILROAD CO. ABANDONMENT BETWEEN ETHEL AND CLINTON, IN EAST FELICIANA PARISH, LA.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on September 8, 1977, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment—Goshen*, 354 I.C.C. 76 (1977), the present and future public convenience and necessity permit the abandonment by the Illinois Central Gulf Railroad Co. of its branch line which extends 8.3 miles from milepost 0 at Ethel, La., to milepost 8.3 at Clinton, La. A certificate of abandonment will be issued to the Illinois Central Gulf Railroad Co. based on the above-described finding of

abandonment 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-55 (Sub-No. 9)]

SEABOARD COAST LINE RAILROAD CO.
ABANDONMENT BETWEEN RED LEVEL
JUNCTION AND CRYSTAL RIVER, FLA.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(A)) that by an order entered on September 7, 1977, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment—Goshen*, 354 I.C.C. 76, the present and future public convenience and necessity permit the abandonment by the Seaboard Coast Line Railroad Co. of a line of railroad extending from milepost ARD-785.71, near Red Level Junction, Fla., in a southerly direction to railroad milepost ARD-790.90, near Crystal River, Fla., a distance of 5.19 miles, all in Citrus County, Fla. A certificate of abandonment will be issued to

the Seaboard Coast Line Railroad Co. based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-159 (Sub-No. 1)]

THE MONONGAHELA RAILWAY COMPANY,
ABANDONMENT NEAR FAIRMONT, MARION
COUNTY, W. VA.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a of the Interstate Commerce Act (49 U.S.C. 1a) that by a Certificate and Order dated October 28, 1977, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment—Goshen*, 354 I.C.C. 76 (1977) and those provided pursuant to Section 405 of the Rail Passenger Service Act (45 U.S.C. 565), the present and future public convenience and necessity permit the abandonment by The Monongahela Railway Co. of that portion of its line of railroad known as the Fairmont Secondary Track, extending from railroad milepost

67.7 near Fairmont, W. Va. to the end of the line at railroad milepost 68.9, a distance of 1.2 miles, in Marion County, W. Va. and including the agency station of Fairmont at railroad milepost 68.1. A certificate of public convenience and necessity permitting abandonment was issued to The Monongahela Railway Co. Since no investigation was instituted, the requirement of Section 1121.38(a) of the Regulations that publication of notice of abandonment decisions in the FEDERAL REGISTER be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed and served no later than 15 days after publication of this Notice. The offer, as filed, shall contain information required pursuant to Section 1121.38(b) (2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 45 days from the date of this publication.

MOTOR CARRIER ALTERNATE ROUTES DEVIATIONS

NOTICE

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Property (49 CFR 1042.4 (c) (11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this Federal Register notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PROPERTY

No. MC-14768 (Deviation No. 1), D. L. LANDES AND HELEN L. LANDES DBA OZARK TRANSFER CO., Ozark, Mo. 65721, filed October 25, 1977. Carrier's representative: Herman W. Huber, 101 E. High St., Jefferson City, Mo. 65101. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Springfield, Mo., over U.S. Highway 60 to junction By Pass U.S. Highway 60, thence over By Pass U.S. Highway 60 to Mansfield, Mo., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent serv-

ice route as follows: From Springfield, Mo., over U.S. Highway 65 to Ozark, Mo., thence over Missouri Highway 14 to Ava, Mo., thence over Missouri Highway 5 to Mansfield, Mo., and return over the same route.

No. MC-33520 (Deviation No. 1), FOLLMER TRUCKING CO., Hummels Wharf, Pa. 17831, filed November 1, 1977. Carrier's representative: S. Berne Smith, P.O. Box 1166, Harrisburg, Pa. 17108. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From junction Pennsylvania Highway 113 and U.S. Highway 422 over Pennsylvania Highway 113 to junction U.S. Highway 30, (2) From junction Pennsylvania Highway 100 and U.S. Highway 422 over Pennsylvania Highway 100 to junction U.S. Highway 30, and (3) From junction Interstate Highway 176 and

U.S. Highway 422 over Interstate Highway 176 to junction Pennsylvania Highway 10, thence over Pennsylvania Highway 10 to junction U.S. Highway 30, and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From junction Interstate Highway 176 and U.S. Highway 422, east over U.S. Highway 422 to Philadelphia, Pa., thence over Philadelphia city streets to junction U.S. Highway 30, thence west over U.S. Highway 30 to junction Pennsylvania Highway 10 and return over the same route.

No. MC-44605 (Deviation No. 12), MILNE TRUCK LINES, INC., 2500 W. California Ave., Salt Lake City, Utah 84104, filed November 1, 1977. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a

deviation route as follows: From Kemmerer, Wyo. over U.S. Highway 30 to Little America, Wyo., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kemmerer, Wyo., over U.S. Highway 189 to junction unnumbered highway, thence over unnumbered highway to junction U.S. Highway 189, thence over U.S. Highway 189 to junction U.S. Highway 30-S, thence over U.S. Highway 30-S to junction Interstate Highway 80, thence over Interstate Highway 80 to Little America, Wyo., and return over the same route.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-33129 Filed 11-16-77; 8:45 am]

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Civil Aeronautics Board.....	1
Civil Rights Commission.....	9
Federal Communications Commission.....	10
Federal Deposit Insurance Corporation.....	2, 3, 4
Federal Maritime Commission.....	5
Foreign Claims Settlement Commission.....	6
International Trade Commission.....	11
Interstate Commerce Commission.....	7
National Transportation Safety Board.....	8
Renegotiation Board.....	12, 13, 14

[6320-01]

1

CIVIL AERONAUTICS BOARD.

The CAB will meet:

TIME AND DATE: 10 a.m.—November 16, 1977.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: Promulgation of Rules for "grandfather" applications for certificates to perform cargo air service.

STATUS: Open.

PERSONS TO CONTACT:

Phyllis T. Kaylor, The Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: The new cargo deregulation law, Pub. L. No. 95-163-91, Stat. 1278, became effective on November 9, 1977. Section 17 of the new law directs the Board to promulgate regulations for "grandfather" applications for certificates to perform all cargo air service which must be filed within 45 days of the statute's effective date, 418 (a)(1) and (a)(2). In order to provide prompt guidance to applicants it is important that the Board consider this matter as soon as possible. Accordingly, the following Members have voted that agency business requires that the Board meet on less than seven days' notice and that no earlier announcement was possible:

Chairman Alfred E. Kahn
Vice Chairman Richard J. O'Melia
Member Elizabeth E. Bailey

[S-1846-77 Filed 11-14-77; 5:07 pm]

[6714-01]

2

FEDERAL DEPOSIT INSURANCE CORPORATION.

TIME AND DATE: 10:30 a.m., November 22, 1977.

PLACE: Room 6133, FDIC Building, 550 17th Street NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

Recommendations regarding liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 43,273-1.—Northern Ohio Bank, Cleveland Ohio.

Case No. 43,281-NR.—United States National Bank, San Diego, Calif.

Case No. 43,284-1.—International City Bank and Trust Co., New Orleans, La.

Case No. 43,285-1.—International City Bank and Trust Co., New Orleans, La.

Case No. 43,287-SR.—Franklin Bank, Houston, Tex.

Case No. 43,289-1.—Chicopee Bank and Trust Co., Chicopee, Mass.

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.

Names of employees authorized to be exempt from disclosure pursuant to the provisions of subsections (c) (2) and (c) (6) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c) (2), (c) (6)).

CONTACT PERSON FOR MORE INFORMATION:

Alan R. Miller, Executive Secretary, 202-389-4446.

[S-1850-77 Filed 11-15-77; 2:10 pm]

[6714-01]

3

FEDERAL DEPOSIT INSURANCE CORPORATION.

TIME AND DATE: 10:45 a.m., November 22, 1977.

PLACE: Room 6135, FDIC Building, 550 17th Street NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

Applications for Federal deposit insurance: Exchange Bank, an operating non-insured regulated certificated bank located in Ludowici, Ga., for Federal deposit insurance.

American State Bank, a proposed new bank to be located at 409 South Park Drive, Broken Bow, Okla., for Federal deposit insurance.

Bank of Clarksville, a proposed new bank to be located at 502 Madison Street, Clarksville, Tenn., for Federal deposit insurance.

Applications for consent to establish branches: Central Bank of Birmingham, Birmingham, Ala., for consent to establish a branch at the northeast corner of

the intersection of Lorna Road and U.S. Highway 31 South, Unincorporated Jefferson County, Ala.

Bank Laumi Trust Co. of New York, New York (Manhattan), N.Y., for consent to establish a branch at 121 Middle Neck Road, Great Neck, N.Y.

Application for consent to a purchase and assumption transaction and for consent to establish a branch: Peoples Bank & Trust Co., Rocky Mount, N.C., an insured State nonmember bank, for consent to purchase the assets of and assume the liability to pay deposits made in the Roanoke Rapids Branch of Southern National Bank of North Carolina, Lumberton, N.C., and for consent to establish the Roanoke Rapids Branch as a branch of the resultant bank.

Applications for consent to merge and establish branches: Citizens DeKalb Bank, Clarkston, Ga., an insured State nonmember bank, for consent to merge under its charter and title with DeKalb Exchange Bank, DeKalb County (P.O. Decatur), Ga., also an insured State nonmember bank, and for consent to establish the three offices of the latter as branches of the resultant bank.

The Mississippi Bank, Jackson, Miss., an insured State nonmember bank, for consent to merge under its charter and title with The First National Bank of Canton, Canton, Miss., and for consent to establish the two existing and one approved but unopened offices of the latter as branches of the resultant bank.

The Peoples Bank and Trust Co., Tupelo, Miss., an insured State nonmember bank, for consent to merge under its charter and title with Baldwin State Bank, Baldwin, Mississippi, also an insured State nonmember bank, and for consent to establish the sole office of Baldwin State Bank as a branch of the resultant bank.

Metropolitan Savings Bank, New York (Manhattan), N.Y., an insured mutual savings bank, for consent to merge under its charter and title with Fulton Savings Bank, Kings County, N.Y. (Brooklyn), N.Y., also an insured mutual savings bank, and for consent to establish the six approved offices of the latter as branches of the resultant bank.

Application for consent to merge: Schroder Trust Co., New York (Manhattan), N.Y., a state member bank, for consent to merge its charter, and with the title "J. Henry Schroder Bank & Trust Co.," with J. Henry Schroder Banking Corp., New York (Manhattan), N.Y., a noninsured institution which is the parent holding company of Schroder Trust Co.

Recommendation regarding liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those

assets: Case No. 43,290-L—Franklin National Bank, New York, N.Y.

Recommendations with respect to the initiation or termination of cease-and-desist proceedings or termination-of-insurance proceedings against certain insured banks: Names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c) (8) and (c) (9) (A) (ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c) (8) and (c) (9) (A) (ii)).

CONTACT PERSON FOR MORE INFORMATION:

Alan R. Miller, Executive Secretary,
202-389-4446.

[S-1849-77 Filed 11-15-77; 2:10 pm]

[6714-01]

4

FEDERAL DEPOSIT INSURANCE CORPORATION.

TIME AND DATE: 11:00 a.m., November 22, 1977.

PLACE: Board Room, 6th Floor, FDIC Building, 550 17th Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Disposition of minutes of previous meetings.

Applications for Federal deposit insurance: Community Bank of Wickenburg, a proposed new bank to be located at Highway 60 and Vultura Mine Road, Wickenburg, Ariz., for Federal deposit insurance.

County Bank of Merced, a proposed new bank to be located at 490 West Olive Avenue, Merced, Calif., for Federal deposit insurance.

Request for an extension of time in which to establish a branch: Merchants and Farmers Bank, Kosciusko, Miss., for an extension of time to February 27, 1978, in which to establish a branch at Highway No. 35 By-Pass, Kosciusko, Miss.

Requests for reports on the competitive factors involved in proposed mergers, purchase and assumption transactions, or consolidations: Request by the Comptroller of the Currency for a report on the competitive factors involved in the proposed merger of Roanoke State Bank, Roanoke, Ind., with The First National Bank in Huntington, Huntington, Ind.

Request by the Board of Governors of the Federal Reserve System for a report on the competitive factors involved in the proposed purchase of assets and assumption of liabilities of The Farmers Exchange Bank, Lynchburg, Ohio, by The Hillsboro Bank and Savings Company, Hillsboro, Ohio.

Request by the Comptroller of the Currency for a report on the competitive factors involved in the proposed consolidation of Fidelity Deposit Bank of Derry, Derry, Pa., and The First National Bank of Youngwood, Youngwood, Pa., with the Southwest National Bank of Pennsylvania, Greensburg, Pa.

Recommendations with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities: Bronson, Bronson & McKinnon, San Francisco, Calif., in connection with the receivership of United States National Bank, San Diego, Calif.

Schall, Boudreau & Gore, Inc., San Diego, California, in connection with the receivership of United States National Bank, San Diego, Calif.

Bronson, Bronson & McKinnon, San Francisco, Calif., in connection with the liquidation of First State Bank of Northern California, San Leandro, Calif.

Pitney, Hardin & Kipp, Morristown, N.J., in connection with the liquidation of assets acquired from Farmers Bank of the State of Delaware, Dover, Del.

Patterson & Patterson, Whitfield, Manikoff and White, Bloomfield Hills, Mich., in connection with the receivership of Birmingham Bloomfield Bank, Birmingham, Mich.

Parsons, Canzona, Blair & Warren, Red Bank, N.J., in connection with the liquidation of The Bank of Bloomfield, Bloomfield, N.J.

Kaye, Scholer, Fierman, Hays & Handler, New York, N.Y., in connection with the receivership of American Bank & Trust Co., New York, N.Y.

Hughes, Hubbard & Reed, New York, N.Y., in connection with the liquidation of Franklin National Bank, New York, N.Y.

O'Neill & Borges, Hato Rey, Puerto Rico, in connection with the liquidation of Banco Economias, San German, P.R.

Hansell, Post, Brandon & Dorsey, Atlanta, Ga., in connection with the liquidation of The Hamilton National Bank of Chattanooga, Chattanooga, Tenn.

Memorandum and resolution proposing the final adoption of an amendment to Part 303 of the Corporation's rules and regulations, entitled "Applications, Requests, and Submittals," to conform that part to the recently revised statement of policy regarding "Legal Fees and Other Expenses Incident to Applications for Insurance and Consent to Establish Branches."

Memorandum and resolution proposing the final adoption of amendments to Part 339 of the Corporation's rules and regulations, entitled "Loans in Areas Having Special Flood Hazards," to conform the part to recent amendments to the "Flood Disaster Protection Act of 1973."

Memorandum proposing that the Board of Directors delegate to the Director of the Corporation's Division of Bank Supervision the authority to approve, subject to established guidelines, applications of insured State nonmember banks for consent to establish or share remote service facilities.

Appeal, pursuant to the Freedom of Information Act, from the Corporation's earlier denial of a request for records.

Memorandum proposing the approval of a contract for the printing and dis-

tribution of supplements to the Corporation's loose-leaf reporting service.

Memorandum proposing the approval of a personal services contract in connection with the bank stock loan survey.

Memorandum recommending the approval of a contract for system design services in connection with the redevelopment of the Corporation's Bank Structure Data Base.

Memorandum proposing the approval of a contract with McCaffery, Seligman & vonSimson, Inc. in connection with a management study of the Corporation's liquidation accounting operations.

Memorandum proposing the approval of a management/consultant contract with Golembe Associates, Inc. in connection with examiner education program evaluation, FDIC research reorganization, general or specific economic or banking issues, etc.

Memorandum proposing the relocation of the Dallas Regional Office.

Reports of committees and officers: Minutes of the actions approved by the Committee on Liquidations, Loans and Purchases of Assets pursuant to authority delegated by the Board of Directors.

Reports of the Director of the Division of Bank Supervision with respect to applications or requests approved by him and the various Regional Directors pursuant to authority delegated by the Board of Directors.

Reports of security transactions authorized by the Chairman.

CONTACT PERSON FOR MORE INFORMATION:

Alan R. Miller, Executive Secretary,
(202) 389-4446.

[S-1851-77 Filed 11-15-77; 2:10 pm]

[6730-01]

5

FEDERAL MARITIME COMMISSION.

TIME AND DATE: November 23, 1977—10 a.m.

PLACE: Room 12126, 1100 L Street NW., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

1. Report on notation items disposed of during October, 1977.

2. Report on times shortened for submitting comments on section 15 agreements during October, 1977.

3. Report on Applications for Admission to Practice approved during October, 1977.

4. Assignment of Informal Dockets during October, 1977.

5. Docket No. 76-41—Berthing of Sea-train Vessels in San Juan, Puerto Rico—Decision on requests to hear oral argument.

6. Special Docket No. 514—*Milchem Incorporated v. Flota Mercante Gran*

Centroamericana, S. A.—Consideration of Initial Decision.

Portion closed to the public:

1. Informal Docket Nos. 369(I) and 370(I)—*Cone Mills Corp. v. Trailer Marine Transport Corp. (TMT)*—Consideration of the records.

CONTACT PERSON FOR MORE INFORMATION:

Francis C. Hurney, Secretary, 202-523-5727.

[S-1845-77 Filed 11-14-77;5:07 pm]

[6770-01]

6

FOREIGN CLAIMS SETTLEMENT COMMISSION.

Announcement: In Regard to Commission Meetings and Hearings.

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR Part 504), and the Government of the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings and oral hearings for the transaction of routine Commission business and other matters specified, as follows:

Date and time	Subject Matter
Wednesday, Dec. 7, 1977, at 10:30 a.m.	Routine Business.
Wednesday, Dec. 14, 1977, at 10:30 a.m.	Do.

Subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 1111 20th Street NW., Washington, D.C. Requests for information, or advance notices of intention to observe a meeting, may be directed to: Executive Director, Foreign Claims Settlement Commission, 1111 20th Street NW., Washington, D.C. 20579. Telephone 202-653-6156.

Dated at Washington, D.C. on November 14, 1977.

FRANCIS T. MASTERSON,
Executive Director.

[S-1852-77 Filed 11-15-77;2:10 pm]

[7035-01]

7

INTERSTATE COMMERCE COMMISSION.

NOVEMBER 14, 1977.

TIME AND DATE: 2:30 p.m., Monday, November 21, 1977.

PLACE: Room 5124, Interstate Commerce Commission Building, 12th Street and Constitution Avenue NW., Washington, D.C.

STATUS: Notice of Open Meeting.

MATTER TO BE CONSIDERED:

1. Review of Division 3 workload.

CONTACT PERSON FOR MORE INFORMATION:

Mrs. Hildred Hersman, Confidential Assistant to Commissioner Brown. Telephone: (202) 275-7535.

[S-1847 Filed 11-14-77;5:07 pm]

[4910-58]

8

NATIONAL TRANSPORTATION SAFETY BOARD.

TIME AND PLACE: 9:30 a.m., Wednesday, November 23, 1977 (NM-77-39).

PLACE: NTSB Board Room, National Transportation Safety Board, 800 Independence Avenue SW., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. *Pipeline Accident Report.*—Pennsylvania Gas and Water Co., Natural Gas Explosions near Williamsport, Pa., January 25, 1977.

2. *Aircraft Accident Report.*—Atlantic City Airlines, Inc., DeHavilland DHC-6, Twin Otter, Cape May County Airport, N.J., December 12, 1976.

3. *Recommendation to Southern Union Gas Co. re pipeline accident, El Paso, Tex., August 9, 1977.*

4. *Letter to FAA re NPRM 77-20, operations review—general operating and flight rules and related airworthiness standard.*

5. *Discussion of Recommendation closeout, A-76-134 and 135.*

6. *Discussion of Recommendation closeout I-76-6.*

CONTACT PERSON FOR MORE INFORMATION:

Sharon Flemming 202-755-4930.

[S-1848-77 Filed 11-15-77;9:12 am]

[6335-01]

9

COMMISSION ON CIVIL RIGHTS.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 58829, November 11, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: November 14, 1977, 9 a.m. to 5 p.m., November 15, 1977, 9 a.m. to 5 p.m.

PLACE: Room 512, 1121 Vermont Avenue NW., Washington, D.C.

CHANGE IN THE MEETING:

The following item has been added to the agenda of the closed portion of the meeting:

State Advisory Committee Reorganization—Commissioners' Response to Communications—Staff Views and Comments Relating to Commissioners and Staff Members.

PERSON TO CONTACT FOR FURTHER INFORMATION:

Barbara Brooks, Public Affairs Unit, 202-254-6697.

[S-1858-77 Filed 11-15-77;3:54 pm]

[6712-01]

10

FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: 2 p.m., Monday, November 21, 1977.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Closed Commission Meeting.

MATTER TO BE CONSIDERED:

Implementation of Change in FCC Office Hours.

CONTACT PERSON FOR MORE INFORMATION:

Samuel M. Sharkey, FCC Public Information Officer, telephone number 202-632-7260.

Issued: November 14, 1977.

[S-1854-77 Filed 11-15-77;3:53 pm]

[7020-02]

11

INTERNATIONAL TRADE COMMISSION.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 58488.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9:30 a.m., Tuesday, November 15, 1977.

CHANGES IN THE MEETING:

Additional Agenda Item:

13. Commission response to Subcommittee on Trade re antidumping (if required).

CONTACT PERSON FOR MORE INFORMATION:

Kenneth R. Mason, Secretary, 202-523-0161.

[S-1853-77 Filed 11-15-77;3:53 pm]

[7910-01]

12

RENEGOTIATION BOARD.

DATE AND TIME: Tuesday, November 22, 1977; 10 a.m.

PLACE: Conference Room, 4th Floor, 2000 M Street NW., Washington, D.C. 20446.

STATUS: Matters 1 through 12 are open to public observation. Matter 13 is closed to public observation. Status is not applicable to Matters 14 and 15.

MATTERS TO BE CONSIDERED:

1. Approval of Minutes of meeting held October 26, 1977, and other Board meetings, if any.

2. Recommended Clearances Without Assignment (List No. 1884):

A. Sargent Industries, Inc., fiscal year ended December 31, 1975.

B. Anadite, Inc., fiscal year ended October 31, 1975.

C. AVX Corp., fiscal year ended December 27, 1975.

D. Miltope Corp., fiscal year ended April 30, 1976.

E-1. R.E.D.M. Corp., fiscal year ended December 31, 1975.

E-2. Hugh H. Eby Co., fiscal year ended December 31, 1975.

E-3. Hyperion Industries Corp., fiscal year ended December 31, 1975.

F-1. Rust Engineering Co., fiscal year ended December 31, 1973.

F-2. Wheelabrator-Frye, Inc., fiscal year ended December 31, 1973.

G. D&O Engineering Co., Inc., fiscal year ended June 30, 1976.

H. A.C. Electronics, Inc., fiscal year ended December 31, 1975.

3. Segmentation.

4. Report of the Chairman concerning: A. Budget, B. Case Processing, C. Personnel Actions, D. Organization Progress of the Staff, E. Rulemaking and Regulations.

5. Request for Permission to Make Untimely Filing of Application for Commercial Exemption: Kilsby Tubesupply Co., fiscal year ended October 31, 1974, LPI No. 95206.

6. Recommended Clearances Without Assignment (List No. 1886):

A. Pittsburgh Forging Co., fiscal year ended December 31, 1975.

B. Janney Cylinder Co., fiscal year ended December 31, 1975.

C. Inland Steel Co., fiscal years ended December 31, 1974 and 1975.

D. White Motor Corp., fiscal year ended December 31, 1974.

E. Optic-Electronic Corp., fiscal year ended March 31, 1976.

F. Ford Motor Co., fiscal years ended December 31, 1971, 1972, 1973 and 1974.

F-1. Ford Motor Co. (Belgium) N.V., fiscal years ended December 31, 1971, 1972, 1973 and 1974.

F-2. Ford Motor Co. of Australia, Ltd., fiscal years ended December 31, 1971, 1972, 1973 and 1974.

F-3. Ford Marketing Corp., fiscal years ended December 31, 1971, 1972, 1973 and 1974.

7. Recommended Clearances Without Assignment (List No. 1887):

A. Tech Systems, Corp., fiscal year ended December 31, 1975.

A-1. Datron Systems Inc., fiscal year ended December 31, 1975.

B. Intercontinental Manufacturing Co., Inc., fiscal year ended December 31, 1975.

B-1. All American Engineering Co., fiscal year ended December 31, 1975.

B-2. Bergman Mfg. Co., Inc., fiscal year ended December 31, 1975.

C. Minnesota Mining and Manufacturing Co., fiscal year ended December 31, 1975.

C-1. Riker Laboratories, Inc., fiscal year ended December 31, 1975.

C-2. Linolex Systems, Inc., fiscal year ended December 31, 1975.

D. 3M Business Products Sales, fiscal year ended December 31, 1975.

E. Plastoid Corp., fiscal years ended December 31, 1971, 1972, 1973, 1974 and 1975.

8. Partial Mandatory Exemption of New Durable Productive Equipment: Ingersoll-Rand Co., fiscal year ended December 31, 1975.

9. Recommended Clearance: The Lionel Corp. Consolidated with: Dale Electronics, Inc.; Sterling Power Systems, Inc.; Western Hydraulics, Inc., fiscal year ended December 31, 1972.

10. Action taken by the Chairman regarding Lockheed (1971) without any full Board participation.

11. Action taken by the Chairman regarding Lockheed (1971) where full Board participation was minimal due to time constraints placed on the Board.

12. Action taken by a Board Member regarding the failure to approve or disapprove of the data submitted to Lockheed pursuant to Lockheed's Freedom of Information claim.

13. Personnel assignment, replacement and reassignment for Lockheed Shipbuilding & Construction Co., for the closed 1971 year.

14. Approval of agenda for meeting to be held December 6, 1977.

15. Approval of agenda for other meetings, if any.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: November 15, 1977.

GOODWIN CHASE,
Chairman.

[S-1855-77 Filed 11-15-77; 3:54 pm]

[7910-01]

13

RENEGOTIATION BOARD.

DATE AND TIME: Tuesday, November 22, 1977, 2:30 p.m.

PLACE: Conference Room, 4th Floor, 2000 M Street NW., Washington, D.C. 20446.

STATUS: Closed to public observation.

MATTERS TO BE CONSIDERED:

Special Board Meeting Concerning: 1. Review of Organizational and Operational Developments at the Regional Boards; 2. Management at the Statutory and Regional Boards.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: November 15, 1977.

GOODWIN CHASE,
Chairman.

[S-1856-77 Filed 11-7-77; 3:45 pm]

[7910-01]

14

RENEGOTIATION BOARD.

DATE AND TIME: Tuesday, November 29, 1977, 10 a.m.

PLACE: Conference Room, 4th Floor, 2000 M Street NW., Washington, D.C. 20446.

STATUS: Matters 1 through 5 are open to public observation, Matter 6 is closed to public observation. Status is not applicable to matters 7 and 8.

MATTERS TO BE CONSIDERED:

1. Approval of Minutes of meeting held November 22, 1977, and other Board meetings, if any.

2. Approval of Proposed Opinion: AMF Inc. (formerly American Machine & Foundry Co.), Consolidated with: AMF Beard, Inc.; W. J. Voit Rubber Corp., The Cuno Engineering Corp., fiscal year ended December 31, 1968.

3. Exemption Recommendation (List No. 3000): Rexnord, Inc., fiscal year ended October 31, 1975.

4. Request for Permission to File an Untimely Application for Commercial Exemption: Contour Saws, Inc., fiscal year ended October 31, 1975.

5. Recommended Clearances Without Assignment (List No. 1888):

A. Reliance Electric Co., fiscal year ended October 31, 1975.

A-1. Lorain Products Corp., fiscal year ended October 31, 1975.

B. UTL Corp. (formerly United Technology Laboratories, Inc.), fiscal year ended June 30, 1976.

C. CERBERONICS, Inc., fiscal year ended June 30, 1976.

D. American Motors Corp., fiscal years ended September 30, 1971, 1972, 1973, 1974 and 1975.

E. Lukens Steel Co., fiscal year ended December 27, 1975.

6. Recommended Clearance: Midland-Ross Corp., fiscal year ended December 31, 1972.

7. Approval of Agenda for meeting to be held December 13, 1977.

8. Approval of agenda for other meetings.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: November 15, 1977.

GOODWIN CHASE,
Chairman.

[S-1857-77 Filed 11-15-77; 3:54 pm]

THURSDAY, NOVEMBER 17, 1977

PART II



DEPARTMENT OF TRANSPORTATION

**Federal Aviation
Administration**



AIRPORT AND PROGRAM CONTENTS

**Procedures Implementing OMB Circular
A-95**

**Registered
priorities**

[4910-13]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 17337; Special Federal Aviation Regulation No. 35]

PART 152—AIRPORT AID PROGRAM CONTENTS

Procedures Implementing OMB Circular A-95

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The purpose of this Special Federal Aviation Regulation is to require applicants for Federal assistance under the Airport Development Aid Program and the Planning Grant Program to comply with certain interim procedures developed by the FAA. These procedures are designed to promote maximum coordination of federally assisted programs and projects with each other and with State, areawide, and local plans and programs. This action is required by the Office of Management and Budget (OMB).

EFFECTIVE DATE: November 17, 1977.

FOR FURTHER INFORMATION CONTACT:

Edward F. Rancourt, Organizational Analysis and Management Development Branch, AMS-530, Management Analysis Division, Office of Management Systems, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: 202-426-8090.

SUPPLEMENTARY INFORMATION: Part I of OMB Circular A-95, Revised (41 FR 2052) requires Federal agencies to develop procedures implementing the requirements of that circular. Those

procedures are generally designed to promote maximum coordination of federally assisted programs and projects with each other and with State, areawide, and local plans and programs.

The FAA has developed procedures for the federally assisted programs it administers. These procedures are set forth in a Notice of Policy entitled "FAA Interim Procedures Implementing OMB Circular A-95" which follows this document in this Part of the FEDERAL REGISTER.

The procedures contained in the notice are prescribed on an interim basis, and the FAA has requested comments from interested persons before issuing final procedures. However, although the procedures are interim in nature, it should be noted that they are immediately applicable. Therefore, sponsors and applicants must comply with them when seeking assistance under the Airport Development Aid Program or the Planning Grant Program.

The FAA Federal assistance programs covered by Part I of A-95 are listed in Attachment D to A-95, or in Appendix I to the Catalog of Federal Domestic Assistance (Catalog), whichever bears the later date. The following FAA programs, with references to the Catalog and to the Federal Aviation Regulation citation, are covered by Part I of A-95:

(1) 20.102—Airport Development Aid Program (ADAP) (Subparts A, B, and C of Part 152).

(2) 20.103—Airport Planning Grant Program (PGP) (Subparts A and D of Part 152).

The principal authors of this document are Edward F. Rancourt, Office of Management Systems, and Danvers E. Long, Office of the Chief Counsel.

Since this amendment relates to grants made under the Airport Aid Program and implementation of OMB Circular A-95, Revised, I find that notice and public procedure thereon are unneces-

sary and that good cause exists for making this amendment effective in less than 30 days.

Accordingly, the following Special Federal Aviation Regulation is adopted, effective November 17, 1977:

SPECIAL FEDERAL AVIATION REGULATION No. 35

Each applicant for Federal assistance under the Airport Development Aid Program and the Planning Grant Program, as prescribed in Part 152 of the Federal Aviation Regulations (14 CFR Part 152), shall comply with the applicable procedures prescribed in FAA Notice of Policy, "FAA Interim Procedures Implementing OMB Circular A-95", published in this part of the FEDERAL REGISTER, which is incorporated by reference into this Special Federal Aviation Regulation and made a part hereof. The FAA Notice of Policy may be examined, and copies obtained, in the Rules Docket, Office of the Chief Counsel, FAA, Washington, D.C., and on request at any FAA Regional Office headquarters or any Airports District Office.

(OMB Circular A-95 (41 FR 2052, January 13, 1976); Sec. 313(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 et seq.); Sec. 1.47(f)(1), Regulations of the Office of the Secretary of Transportation (49 CFR 1.47(f)(1)).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 8, 1977.

LANGHORNE BOND,
Administrator.

[FR Doc.77-32989 Filed 11-16-77; 8:45 am]

[4910-13]

DEPARTMENT OF
TRANSPORTATION

Federal Aviation Administration

[Docket No. 17337]

FAA INTERIM PROCEDURES IMPLEMENT-
ING OMB CIRCULAR A-95

Policy

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of policy.

SUMMARY: This notice sets forth procedures designed to promote maximum coordination of certain FAA projects and programs, such as the Airport Planning Grant and Airport Development Aid Programs, with each other and with State, areawide, and local plans and programs. The Office of Management and Budget (OMB) requires Federal agencies to develop these procedures.

DATES: Comments must be received in or before January 16, 1978.

ADDRESS: Send comments on this notice in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC-24), Docket No. 17337, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CON-
TACT:

Edward F. Rancourt, Organizational Analysis and Management Development Branch, AMS-530, Management Analysis Division, Office of Management Systems, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591, telephone: 202-426-8090.

SUPPLEMENTARY INFORMATION:

The purpose of this notice is to issue interim procedures implementing OMB Circular A-95, Revised (A-95), entitled "Evaluation, Review, and Coordination of Federal and Federally Assisted Programs and Projects" (published in the FEDERAL REGISTER on January 13, 1976, 41 FR 2052). These procedures are being implemented in accordance with DOT Order 4600.4C, Evaluation, Review and Coordination of Department of Transportation Development and Assistance Programs and Projects. A-95 requires that Federal agencies develop procedures and regulations (interim and final) designed to promote maximum coordination of Federal and federally assisted programs and projects with each other and with State, areawide, and local plans and programs.

As adopted, the revised requirements in A-95 provide, in part, for the following:

a. Encouraging the establishment of a project notification and review system to facilitate coordinated planning on an intergovernmental basis for certain Federal assistance programs in furtherance of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968 * * *

b. Coordination of direct Federal development programs and projects with State, areawide, and local planning and programs pursuant to Title IV of the Intergovernmental Cooperation Act of 1968.

c. Securing the comments and views of State and local agencies which are authorized to develop and enforce environmental standards on certain Federal or federally assisted projects affecting the environment pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969 * * * and regulations of the Council on Environmental Quality.

d. Furthering the objectives of Title VI of the Civil Rights Act of 1964.

The requirements in A-95 were adopted pursuant to the following:

"a. Section 401(a) of the Intergovernmental Cooperation Act of 1968 which provides in part that:

The President shall * * * establish rules and regulations governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development * * *

and the President's Memorandum of November 8, 1968, to the Director of the Bureau of Budget (FEDERAL REGISTER, Vol. 33, No. 221, November 13, 1968) which provides:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code and section 401(a) of the Intergovernmental Cooperation Act of 1968 (Public Law 90-577), I hereby delegate to you the authority vested in the President to establish the rules and regulations provided for in that section governing the formulation, evaluation, and review of Federal programs and projects having a significant impact on area and community development, including programs providing Federal assistance to the States and localities, to the end that they shall most effectively serve these basic objectives.

In addition, I expect the Bureau of the Budget to generally coordinate the actions of the departments and agencies in exercising the new authorizations provided by the Intergovernmental Cooperation Act, with the objective of consistent and uniform action by the Federal Government.

b. Title IV, section 403, of the Intergovernmental Cooperation Act of 1968 which provides as follows:

The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this Title.

c. Section 204(c) of the Demonstration Cities and Metropolitan Development Act of 1966 which provides as follows:

The Bureau of the Budget, or such other agency as may be designated by the President, shall prescribe such rules and regulations as are deemed appropriate for the effective administration of this section; and

d. Reorganization Plan No. 2 of 1970 and Executive Order No. 11541 of July 1, 1970, which vest all functions of the Bureau of the Budget or the Director of the Bureau of the Budget in the Director of the Office of Management and Budget."

FAA programs covered by Part I of A-95 (projects and activities for which

Federal assistance is being sought) are listed in Attachment D to A-95, or Appendix I of the Catalog of Federal Domestic Assistance (Catalog), whichever bears the later date. The following FAA programs, with references to the Catalog and the Federal Aviation Regulation citation, are covered by Part I of A-95:

(1) 20.102 Airport Development Aid Program (ADAP) (Subparts A, B, and C of Part 152).

(2) 20.103 Airport Planning Grant Program (PGP) (Subparts A and D of Part 152).

In addition to FAA Federal assistance programs included under Part I of A-95, all FAA programs which involve direct Federal development activities, including the planning and construction of physical facilities and installations, or land and real property development undertaken by and for the use of the Federal government, are covered by Part II of A-95.

While the procedures prescribed herein, with whatever changes may be made upon final implementation, will be complete with respect to the FAA's required compliance with A-95 and the responsibilities of sponsors applying for Federal assistance from the FAA, sponsors should be aware that in some instances State law requires State review of applications for Federal assistance under programs and procedures not covered herein. Consequently, sponsors are urged to ascertain the existence of such laws and the requirements they impose.

In order to publish the interim procedures prescribed herein in a regulatory framework and to assure their immediate application to applicants and sponsors applying for Federal assistance, the agency is publishing concurrently in this issue of the FEDERAL REGISTER a Special Federal Aviation Regulation incorporating by reference the procedures prescribed herein.

Interested persons are invited to submit such written data, views, or arguments as they may desire regarding these interim procedures. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before January 16, 1978, will be considered by the Administrator in the development of final procedures. These interim procedures may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerning this notice will be filed in the docket.

Any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Com-

munications must identify the docket number.

The principal authors of this document are Edward P. Rancourt, Office of Management Systems, and George W. Tenley, Jr., Office of the Chief Counsel.

(Secs. 303, 307, 308, 312, and 313, Federal Aviation Act of 1958 (49 U.S.C. 1344, 1348, 1349, 1353, and 1354); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 et seq.); Sec. 1.47(f)(1), Regulations of the Office of the Secretary of Transportation (49 CFR 1.47(f)(1)); OMB Circular A-95, Revised (41 FR 2052; January 13, 1976).)

Accordingly, the following interim procedures are applicable, effective November 17, 1977, to all Federal and federally assisted programs and projects of the Federal Aviation Administration:

INTERIM PROCEDURES IMPLEMENTING OMB CIRCULAR A-95

Section 1.—*Definitions.* (a) The definitions prescribed in OMB Circular A-95, Revised (41 FR 2052; January 13, 1976) (A-95) are incorporated by reference into this notice.

(b) "Sponsor" means any public agency, including planning agencies and federally recognized Indian Tribes, which, either individually or jointly with one or more other public agencies, submits an application for financial assistance to the Administrator in accordance with Part 152 of the Federal Aviation Regulations (Airport Aid Program).

(c) "State clearinghouse" means an agency of the State government designated by the Governor or by State law to carry out the requirements of Part I of Attachment A to A-95.

(d) "Areawide clearinghouse" means: (1) In nonmetropolitan areas, a comprehensive planning agency designated by the Governor (or Governors in the case of regions extending into more than one State) or by State law to carry out the requirements of A-95; or

(2) In metropolitan areas, an areawide agency that has been recognized by the Office of Management and Budget as an appropriate agency to perform review functions under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Title IV of the Intergovernmental Cooperation Act of 1968, and A-95.

(e) "Planning and development clearinghouse" includes an areawide clearinghouse or a State clearinghouse, or both.

Section 2.—*Notification Procedures: Federal Assistance Programs.* Applicants for Federal assistance under the Airport Development Aid Program (ADAP) and the Planning Grant Program (PGP) must comply with the following procedures:

(a) Each sponsor applying for assistance for a project, or major substantive modification thereto, must notify, in accordance with sections 6, 7, and 8 of this notice, the planning and development clearinghouse of both the State(s) and the region, if there is one, and of the metropolitan area in which the project is to be located, of its intent to apply

for that assistance in accordance with the following:

(1) In order to assure maximum time for effective coordination, and not to delay the timely submission of the completed application to the FAA, sponsors applying for assistance under ADAP should send the notification containing the preliminary information set forth in paragraph (a)(1)(i) through (vi) of this section at the earliest feasible time. The sponsor shall notify the appropriate clearinghouse as soon as project plans are developed in sufficient detail to inform the clearinghouses of the nature and scope of development the sponsor proposes to undertake and for which Federal assistance is sought. This should be at least 60 days prior to the time the sponsor proposes to submit its form for Federal Assistance (SF-424) and Part II of the Preapplication for Federal Assistance, FAA Form 5100-30. The sponsor's notification must be accompanied by a summary and description of the projects for which assistance will be sought. The summary and description must contain the following information, as appropriate and to the extent available:

(i) Identity of the sponsor.

(ii) The geographic location of the project to be assisted, including a map, if appropriate.

(iii) A brief description of the proposed project by type, purpose, general size or scale, estimated cost, beneficiaries, or other characteristics which will enable the clearinghouses to identify agencies of State or local governments having plans, programs, or projects that might be affected by the proposed project. An approved airport layout plan (if available) showing the development included in the proposed project is one means of providing most of the information needed for this purpose.

(iv) A statement as to whether or not the sponsor has been advised by the FAA that he will be required to submit environmental impact information in connection with the proposed project.

(v) The Federal program title and number and agency under which assistance will be sought as indicated in Attachment D to A-95, or in Appendix I of the Catalog of Federal Domestic Assistance, whichever bears the later date. Programs not listed therein must be identified by Public Law Number or United States Code citation.

(vi) The estimated date the sponsor expects to formally file an application.

(2) Sponsors applying for assistance under the PGP must also submit a summary description of the project including type, purpose, general size or scale, estimated cost, beneficiaries or other characteristics which will enable the clearinghouses to identify agencies of State or local government having plans, programs, or projects that might be affected by the proposed projects for which assistance is sought. The summary description should be sent at the earliest feasible time. A map showing the location of the airport or boundaries of the planning area should also be included.

(3) Notwithstanding paragraph (a)(1) of this section, sponsors applying for PGP funds may elect to submit the complete application to the appropriate clearinghouses in lieu of the summary description.

(4) Many clearinghouses have developed notification forms and instructions. Sponsors are urged to contact their clearinghouses for such information in order to expedite clearinghouse review.

(b) In the case of applications for projects involving land or water use and development or construction in the National Capital Region (as defined in Section 1(b) of the National Capital Planning Act of 1952, as amended), a copy of the notification must be sent to the National Capital Planning Commission (NCPC) in addition to the areawide clearinghouse and appropriate State clearinghouse. The NCPC is the official planning agency for the Federal Government in the National Capital Region.

(c) Sponsors shall ask the appropriate clearinghouse(s) to request comments from the public agency charged with enforcing or furthering the objectives of State and local civil rights laws regarding the civil rights aspects of proposed projects. Applicants shall submit these comments, and a statement that the comments have been considered, with the application.

(d) Applications from federally recognized Indian tribes are not subject to the requirements of Part I of A-95; however, these Indian tribes may participate on a voluntary basis. The FAA will notify each appropriate State and areawide clearinghouse of any applications from a federally recognized Indian tribe upon their receipt. When a federally recognized Tribal Government has established a mechanism for coordinating the activities of Tribal departments, divisions, enterprises, and entities, the FAA, upon request of that Tribal Government transmitted through the Office of Management and Budget and OST, will require that applications for assistance from those Tribal departments, divisions, enterprises, and entities be subject to review by the Tribal coordinating mechanism as though it were a State or areawide clearinghouse.

(e) In the case of an application in any State for an activity that is statewide, and does not affect or have specific applicability to areawide or local planning and programs, the notification may be sent only to the State clearinghouse. Involvement of areawide clearinghouses in the review in these cases is at the initiative of the State clearinghouses.

Section 3.—*Notification Procedures: Direct Federal Development.* Except for those projects within the National Capital Region (as defined in section 1(b) of the National Capital Planning Act of 1952, as amended), each FAA Regional and Center Director shall provide written notification to the Governor, appropriate State and local government officials, federally recognized Indian tribes, and, in accordance with sections 6, 7, and 8 of this notice, A-95 clearing-

houses of all FAA direct Federal programs or projects, including projects that involve the planning, acquisition, use and disposal of real property, that are proposed to be undertaken in that State or locality. Notification shall be made as follows:

(a) Notification shall be made at the earliest practicable time in the development of the program or project, but no later than 90 days before the actual beginning of construction or installation.

(b) The notification shall include:

(1) The name of the FAA element proposing the project;

(2) The date on which actual development, construction, or other activities involved in the physical implementation of the project are scheduled to begin;

(3) A summary of the project setting forth—

(i) In the case of a project involving a contract, the proposed contract award date;

(ii) A description of the program to be supported by the project; and

(iii) Details of the project and program sufficient to assist in determination of their effect on area planning; and

(4) A site location map.

(c) With respect to projects located in the coastal zone (as defined in the Coastal Zone Management Act, Pub. L. 92-583; 86 Stat. 1280), the State agency responsible for administration of the approved program for management of the coastal zone shall be given the opportunity to review the relationship between, and the consistency of, the proposed Federal project and the coastal zone program.

(d) Metropolitan Washington Airports (Dulles International Airport and Washington National Airport) will submit directly to the National Capital Planning Commission (NCPC), plans, including environmental data, in accordance with established monthly deadlines at the earliest practicable stage in the development of projects. The NCPC is the official planning agency for the Federal government in the National Capital Region. Metropolitan Washington Airports will consider the NCPC as the coordinating Federal body with local, subregional, and State clearinghouse.

Section 4.—*Exemptions.* A-95 provides for Federal agencies to identify exemptions from the A-95 notification and review process. Appendix 1 to this notice sets forth a list of FAA projects and programs that are exempt from the notification and review procedures prescribed in this notice.

Section 5.—*Environmental Process.* The environmental procedures are specified by FAA Order 1050.1B, Policies and Procedures for Considering Environmental Impacts. Projects listed in Appendix 1 of this Notice as exempt from the A-95 notification and review process may be subject to the requirements of Order 1050.1B. It is suggested that for any project, including those in Appendix 1, which requires environmental assessment, the sponsor consider the use of the A-95 review procedures prescribed by this notice to solicit input from State and

local agencies on environmental impact, to eliminate the need for independent contacts with affected agencies.

Section 6.—*Projects in Metropolitan Areas.* For projects in metropolitan areas, notification must be given to both the State clearinghouse and the areawide clearinghouse. A current list of the designated areawide planning agencies is maintained in the FAA Regional and Airport District Offices.

Section 7.—*Projects in Non-Metropolitan Areas.* For a project in a non-metropolitan area for which the State Governor has designated a regional comprehensive planning agency, notification must be given to both the State clearinghouse and the areawide clearinghouse, the latter being the regional comprehensive planning agency designated by the Governor.

Section 8.—*Projects in Other Locations.* For a project located in an area other than an area described in section 6 or 7, notification must be given to both the State clearinghouse and any public agency planning the development of the area in which the project is located.

Section 9.—*Airport System Plan: Sponsor Other Than a Designated Areawide Clearinghouse.* Where the proposed project involves a metropolitan or regional airport system plan and the sponsor is other than the planning agency designated as the areawide clearinghouse, the sponsor shall obtain a memorandum of agreement between it and the clearinghouse, covering the means by which their planning activities will be coordinated. This agreement must be submitted as an attachment to the application and must include—

(a) The relationships between the sponsor's proposed planning and that of the areawide agency;

(b) Organizational and procedural arrangements for coordinating activities; and

(c) Arrangements for sharing planning resources and data.

Section 10.—*Clearinghouse Functions.* Clearinghouse functions include the following:

(a) Evaluating the significance of proposed Federal or federally assisted projects to State, areawide, or local plans and programs, as appropriate.

(b) Receiving and disseminating project notifications to appropriate State and multi-State agencies in the case of the State clearinghouse and to appropriate local governments and agencies and regional organizations in the case of areawide clearinghouses, and providing liaison, as may be necessary, between those agencies or bodies and the applicant. In the case of units of general local government, notifications of all projects will be sent by the areawide clearinghouse to the chief executive of that unit upon his request, or to a central agency that he may designate for review and reference to appropriate agencies of that unit.

(c) In the case of projects and programs located in the coastal zone, as defined in the Coastal Zone Management Act of 1972, assuring that the State agency responsible for administration of the approved programs for the manage-

ment of the coastal zone, if other than the State clearinghouse, is given opportunity to review the project for its relationship to, and consistency with, those projects and programs.

(d) Assuring, pursuant to section 102 (2) (C) of the National Environmental Policy Act of 1969, that appropriate State, multi-State, areawide, or local agencies, which are authorized to develop and enforce environmental standards, are informed of and are given opportunity to review and comment on the environmental significance of proposed Federal or federally assisted projects.

(e) Providing public agencies charged with enforcing or furthering the objective of State and local civil rights laws with the opportunity to review and comment on the civil rights aspects of the proposed Federal or federally assisted project.

(f) Providing, pursuant to Part II of A-95, liaison between Federal agencies contemplating direct Federal development projects and the State or areawide agencies or local governments having plans or programs that might be affected by the proposed project.

(g) In the case of a project for which Federal assistance is sought by a special purpose unit of local government, assuring that any unit of local government having jurisdiction over the area in which the project is to be located has the opportunity to confer, consult, and comment upon the projects and the application.

(h) Establishing coordination between the clearinghouses in areas where areawide clearinghouse jurisdictions are contiguous to assure that projects in one area which may have an impact on the development of a contiguous area are jointly studied. Any comments and recommendations made by or through a clearinghouse in one area on a project in a contiguous area must accompany the application for assistance for that project.

Section 11.—*Consultation and Review.* (a) State and areawide clearinghouses have 30 days after receipt of a project notification from a sponsor or the FAA in which to inform State and multi-State agencies and local or regional governments or agencies, including agencies referred to in paragraphs (c), (d), and (e) of section 10, that may be affected by the proposed project and arrange, as may be necessary, to consult with the sponsor thereon. The review should be completed in this period and comments should be submitted to the sponsor or the FAA.

(b) If the review is not completed within 30 days, the clearinghouse should work with the sponsor or the FAA in the resolution of any problems raised by the proposed project during the period in which the application is being completed. If a clearinghouse has not completed its review during the 30-day notification period, it should give the sponsor or the FAA formal notice to that effect.

(c) In cases where no project notification has been submitted and the clearinghouse receives only a completed ap-

plication, it may have 60 days to review the completed application. If a completed application is submitted during the first 30 days after a notification has been submitted, the clearinghouse has 30 days in addition to the number of days remaining in the initial 30-day notification period to complete its review. In all other cases, the clearinghouse has 30 days to review a completed application. If a review has been completed prior to completion of an application, and information copy must be supplied to the clearinghouse upon request, when the application is submitted to the funding agency.

(d) When written comments at variance with the clearinghouse comments by other jurisdictions, agencies, or parties are included as attachments to the comments of areawide clearinghouses, they shall be submitted by the sponsor with its application.

(e) Clearinghouses will be notified by the FAA within seven working days of any major action taken on applications that have been reviewed by those clearinghouses, including awards, rejections, returns for amendment, deferrals, or withdrawals. Standard form SF 424 will be used for this purpose. All clearinghouse notifications (SF 424) will include the State clearinghouse identification number if such a number has been assigned. If the FAA approves a project that a clearinghouse has recommended against or will support only with specific and major substantive changes, the project notification must explain the rationale supporting it.

(f) With respect to programs and projects involving Federal assistance, the FAA will consider only those applications completed in accordance with the appropriate A-95 review process. Sponsors must include the following with the completed applications as submitted to the FAA (or to the State agency in the case of projects for which the State, under certain programs, has final approval):

(1) Except as provided in paragraph (f) (2) of this section, all comments and recommendations made by or through clearinghouses, along with a statement that those comments have been considered prior to submission of the application.

(2) If no comments have been received from, or made by, a clearinghouse, a statement specifying that the procedures outlined in this section have been followed and that no comments or recommendations have been received.

(3) Any comments from a public agency, if that agency is charged with either developing and enforcing environmental standards or enforcing or furthering the objectives of State and local civil rights laws. Sponsors should include a statement that such comments have been considered.

(g) With respect to programs and projects involving Federal assistance, applications for renewal or continuation grants or applications not submitted to or acted on by the FAA within one year after completion of clearinghouse review

are subject to re-review upon request of the clearinghouse.

(h) If a unit of general local government and a unit of special local government apply for the same or similar type project, preference will normally be given to the unit of general local government. If this preference is not given, the rationale for this determination must be included in the notification to the unit of general local government.

Section 12. *Subject Matter of Comments and Recommendations.*—Comments and recommendations made by or through clearinghouses, with respect to any project, are intended to assure maximum consistency of the project with State, areawide, and local comprehensive plans, and to assist the FAA (or State agency, in the case of projects for which the State, under certain FAA grants, has final project approval) in determining whether the project is in accord with applicable Federal laws, particularly those requiring consistency with State, areawide, or local plans. Comments and recommendations, as may be appropriate, may include, but are not limited to, information about the following:

(a) The extent to which the project is consistent with or contributes to the fulfillment of comprehensive planning for the State, area, or locality.

(b) The extent to which the proposed project—

(1) Duplicates, runs counter to, or needs to be coordinated with, other projects or activities being carried out in or affecting the area; or

(2) Might be revised to increase its effectiveness or efficiency in relationship to other State, area, or local programs and projects.

(c) The extent to which the project contributes to the achievement of State, areawide, and local objectives and priorities relating to natural and human resources, and economic and community development as specified in Section 401 of the Intergovernmental Cooperation Act of 1968, including—

(1) Appropriate housing, commercial, industrial, governmental, institutional, and other land use;

(2) Development and conservation of natural resources, including land, water, mineral, wildlife, and others;

(3) Balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other modes for the movement of people and goods;

(4) Adequate outdoor recreation and open space;

(5) Protection of areas of unique natural beauty, and historical and scientific interest;

(6) Properly planned community facilities, including utilities for the supply of power, water, and communications, for the safe disposal of wastes, and for other purposes; and

(7) Concern for high standards of design.

(d) Pursuant to Section 102(2) (C) of the National Environmental Policy Act of 1969, the extent to which the project

may significantly affect the environment including consideration—

(1) The environmental impact of the proposed project;

(2) Any adverse environmental effects which would occur if the proposed project were implemented;

(3) Alternatives to the proposed project;

(4) The relationship between local short-term uses of the human environment and the maintenance and enhancement of long-term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved if the proposed project or action were implemented.

(e) Effects on the supply of, and demand for, energy resources.

(f) The extent to which people or businesses will be displaced and the availability of relocation resources.

(g) As provided under section 307(d) of the Coastal Zone Management Act of 1972, in the case of a project located in the coastal zone, the relationship of the project to the approved State program for the management of the coastal zone and its consistency therewith.

(h) The extent to which the project contributes to more balanced patterns of settlement and delivery of services to all sectors of the area population, including minority groups.

(i) In the case of a project for which assistance is being sought by a special purpose unit of local government, whether the unit of general local government having jurisdiction over the area in which the project is to be located has applied, or plans to apply, for assistance for the same or a similar type of project.

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on November 8, 1977.

LANGHORNE BOND,
Administrator.

APPENDIX I

EXEMPTIONS AND LIMITATIONS

The following is a list of FAA projects and programs that are exempt from the notification and review procedures prescribed in this notice.

1. Erosion control action with no off-airport impact.

2. Grading within airport property lines, removal of obstructions, and grading to extend runway safety areas.

3. Resurfacing of runways for specified loading or strength or for smoothness (except where it would enable a larger class of aircraft to use the runway).

4. Reconstruction of existing runways for specified loading (except where it would enable a larger class of aircraft to use the runway).

5. The acquisition of security equipment required by rule or regulation for the safety and security of personnel and property on the airport (14 CFR Part 107).

6. The acquisition of safety equipment required by rule or regulation for certification of an airport (14 CFR Part 139).

7. Pedestrian walkway facilities.
8. Loading ramps.
9. Airport-related emergency actions.
10. Segmented circles, wind or landing direction indicators, or measurement devices.
11. Runway and taxiway marking or grooving.
12. Installation of airport light systems including beacons.
13. Supplemental PGP grants.
14. Taxiways and aprons (except where the project would increase the capacity of the airport or cause an impact on property adjoining the airport).
15. Taxiway fillets and jet blast facilities associated with existing runways, taxiways, and aprons.
16. Entrance and service roadway repair and construction within airport property and any relocation of these types of roads (except where they connect to a public highway or street).
17. Fencing on airport property.
18. Upgrading of building or facility electrical distribution systems.
19. Facility, structure, and grounds maintenance, including the upkeep and general maintenance of buildings, such as replacement of electrical wiring, painting, roofing, grounds maintenance, road and parking lot resurfacing.
20. Electronic display equipment which is installed in existing facilities to update the operational capabilities of such systems as radar bright display equipment (RBDEs),

plan view displays (PVDs), direct access radar channels (DARCs), and any future equipment of this type.

21. Installation of equipment within air traffic control towers (ATCTs) and terminal approach control facilities (TRACONs).

22. Facility modernization to the degree that the program or project adds to the existing functional capability but does not change the use, scale, or intensity of use of the structure or facility. New or additional equipment and/or reallocation of existing space to house such equipment is included.

23. Construction of facilities or installation of equipment to be located on or within facilities confined within the perimeter of the airport or on federally owned or leased land (except those which require obstruction clearance off the airport or facilities site, or zoning to prevent electromagnetic interference). The construction and installation must be of small scale or size with no off-airport impact.

24. Installation, rehabilitation, modernization, relocation or consolidation of utilities on airports to serve airport navigation, communication, and air traffic control facilities, where land use has previously been determined and which causes no off-airport impact.

25. Supplements to existing systems to provide additional communications and navigational capabilities such as beacon supplements to air traffic control radar systems

(ATCRBSs), tactical air navigation systems (TACANs) added to a very high frequency omnidirectional range (VORs), or additions of distance measuring equipment (DMEs and VOR/DME).

26. Installation of visual guidance equipment on airports such as cloud height indicators (CHIs), runway visual range equipment (RVRs), centerfield wind indicators, hygrothermometers, visual approach slope indicators (VASIs), and runway end identification light (REILs).

27. Purchase of existing facility land sites currently held by lease agreement.

28. Leases of buildings at the FAA Aeronautical Center.

29. Leases of space and installation of navigational facilities on airport property.

30. Disposal for real property at facilities containing site plots of not more than two acres with associate restrictive easements.

31. Acquisition of snow removal equipment.

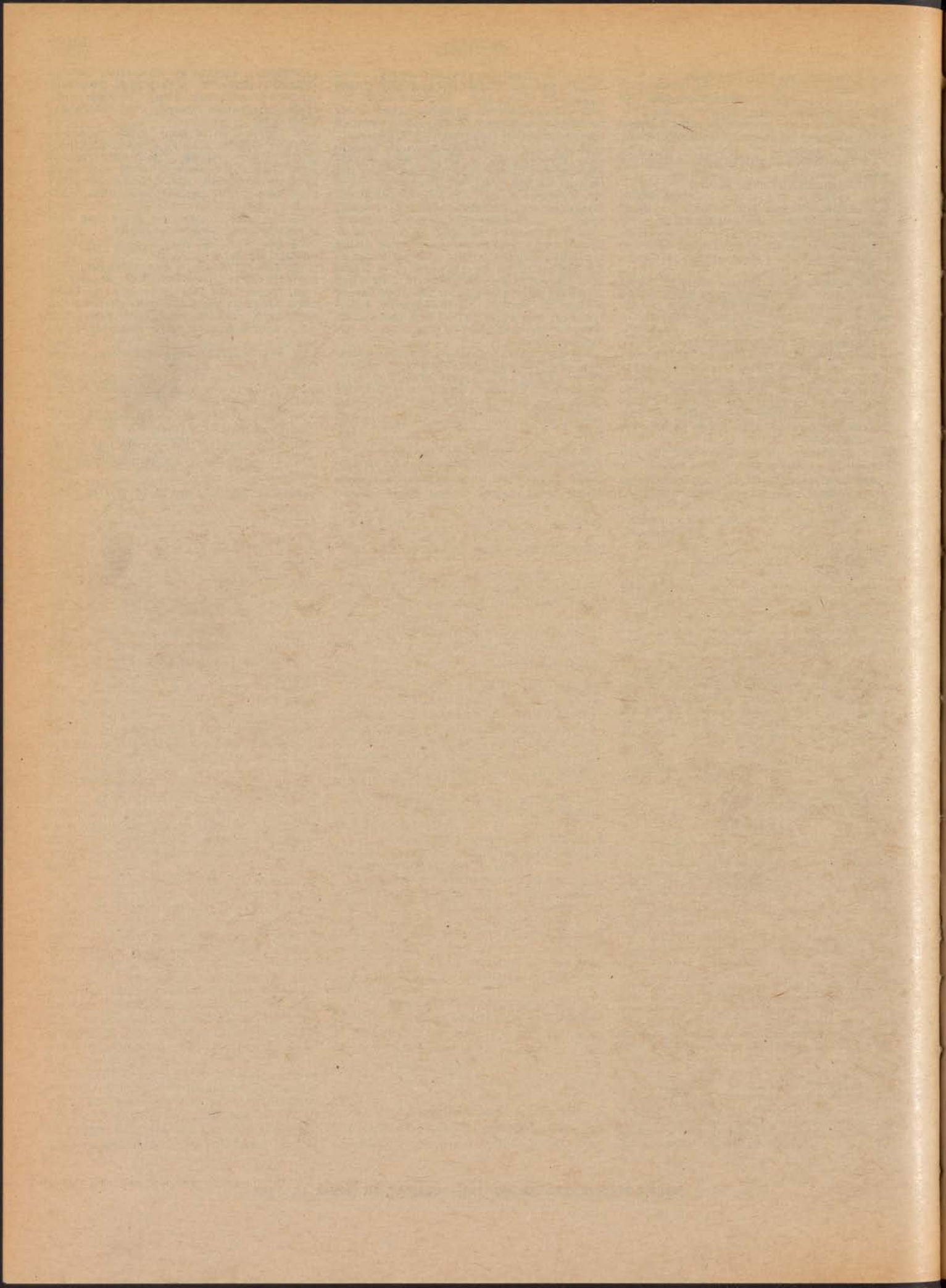
32. Acquisition of noise suppressing equipment.

33. Landscaping and construction of physical barriers to diminish the impact of aircraft blast and noise.

34. Terminal development within the confines of existing structures.

35. Retirement of the principal of bonds or other indebtedness for terminal development.

[FR Doc.77-32990 Filed 11-16-77;8:45 am]



THURSDAY, NOVEMBER 17, 1977
PART III



DEPARTMENT OF
STATE



APPLICATIONS FOR
PERMITS TO FISH OFF
THE COASTS OF THE
UNITED STATES

Fishery Conservation and Management
Act of 1976

Registered
Property

[4710-01]

DEPARTMENT OF STATE

[Public Notice 577]

FISHERY CONSERVATION AND
MANAGEMENT ACT OF 1976Applications for Permits To Fish Off the
Coasts of the United States

The Fishery Conservation and Management Act of 1976 (Pub. L. 94-265) (the "Act") provides that no fishing shall be conducted by foreign fishing vessels in the Fishery Conservation Zone of the United States after February 28, 1977,

except in accordance with a valid and applicable permit issued pursuant to Section 204 of the Act.

The Act also requires that all applications for such permits be published in the FEDERAL REGISTER.

Additional applications for fishing during 1978 have been received from the Governments of Japan and Romania, and are published herewith.

Dated: November 10, 1977.

LARRY L. SNEAD,
Acting Director, Office
of Fisheries Affairs.

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

No. JA-78-0701

1. Name of Vessel KEIKO MARU 2. Visual Identif-
cation Sign JNAP
3. Type of Vessel CARGO/TRANSPORT 4. Length 135 M.
5. Gross Tonnage 7519 M.T. 6. Net Tonnage 3531 M.T. 7. Speed (knots) 12 KT.
8. Owner's Name and Address NIPPON SUISAN KAISHA, LTD.
2-6-2, OTEMACHI, CHIYODA-KU, TOKYO, JAPAN
9. Types of Processing Equipment -

10. Fisheries for Which Permit is Requested:

Fishery Plans	Target Species	Gear To Be Used	Catching	Processing	Other Support
BSA	POLLOCK				X
	PACIFIC COD				X
	YELLOW FIN SOLE				X
	SABLE FISH				X
	HERRING				X
	OTHER FLOUNDERS				X
	SQUID				X
	PACIFIC OCEAN PERCH				X
	OTHER GROUND FISH				X
	SABLE FISH				X
SBL	SHALLS				X
CRB	TANNER CRAB				X
COA	POLLOCK				X
	PACIFIC COD				X
	FLOUNDERS				X
	PACIFIC OCEAN PERCH				X
SQU	OTHER ROCKFISHES				X
	SQUID				X
	ATKA MACKEREL				X
FINP	OTHER GROUND FISH				X
	SHORT FINNED SQUID				X
	LONG FINNED SQUID				X
	BUTTER FISH				X
	OTHER FIN FISH				X

11. Are Fishing Activities Requested in Support of Vessels of a Different Flag:

☒ No ☐ Yes (If yes, attach supplemental sheet showing flag of other vessel's, fishery, species, quantities, dates, locations and specific activities requested.)

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

No. Ro-78-0013

1. Name of Vessel R B T B Z A T Visual Identif. Y.Q.P.M.
 2. fier (Call Sign)
 3. Type of Vessel stern trawler 4. Length 83 m
 5. Gross Tonnage 2680 6. Net Tonnage 1068 7. Speed (knots) 13
 8. Owner's Name and Address I.P.O. - TULCEA - frigori for portuay street
no.1, TULCEA - ROMANIA.

9. Types of Processing Equipment: Deheading machine type bander 421;423;fillet machine type bander 180;skinning machine type bander 47;fish wash machine type P.G.2;plate freezers and freezing tunnel clarko built meal plant no. 20-354; fish oil plant-laval.

10. Fisheries for Which Permit is Requested:

Fishery Plans	Target Species	Gear To Be Used	Activity
MAC	Mackerel	Mid-water trawl	Catching x
HAK	Silver Hake	Bottom trawl	Processing x
HER	Herring	Mid-water trawl	Other Support x
SQU	Squid	Mid-water trawl	x
PNF	Other Finfish	Mid-water trawl	x

11. Are Fishing Activities Requested in Support of Vessels of a Different Flag:

☒ No ☐ Yes (If yes, attach supplemental sheet showing flag of other vessels, fishery, species, quantities, dates, locations and specific activities requested.)

FISHING VESSEL IDENTIFICATION FORM (FOREIGN)

No. Ro-78-0008

1. Name of Vessel I N A U Visual Identif. Y.Q.N.P.
 2. fier (Call Sign)
 3. Type of Vessel stern trawler 4. Length 81 m
 5. Gross Tonnage 2632 6. Net Tonnage 1116 7. Speed (knots) 15
 8. Owner's Name and Address I.P.O. - TULCEA - frigori for portuay street
no.1, TULCEA - ROMANIA.

9. Types of Processing Equipment: Deheading machine bander 421;423;fillet machine type bander 180;skinning machine type bander 47;fish wash machine type P.G.2;horizontal plate freezers(double)ZHPap 2x125;vertical plate freezers 2Vimcun; fish meal plant no. 354-356; fish oil plant-laval.

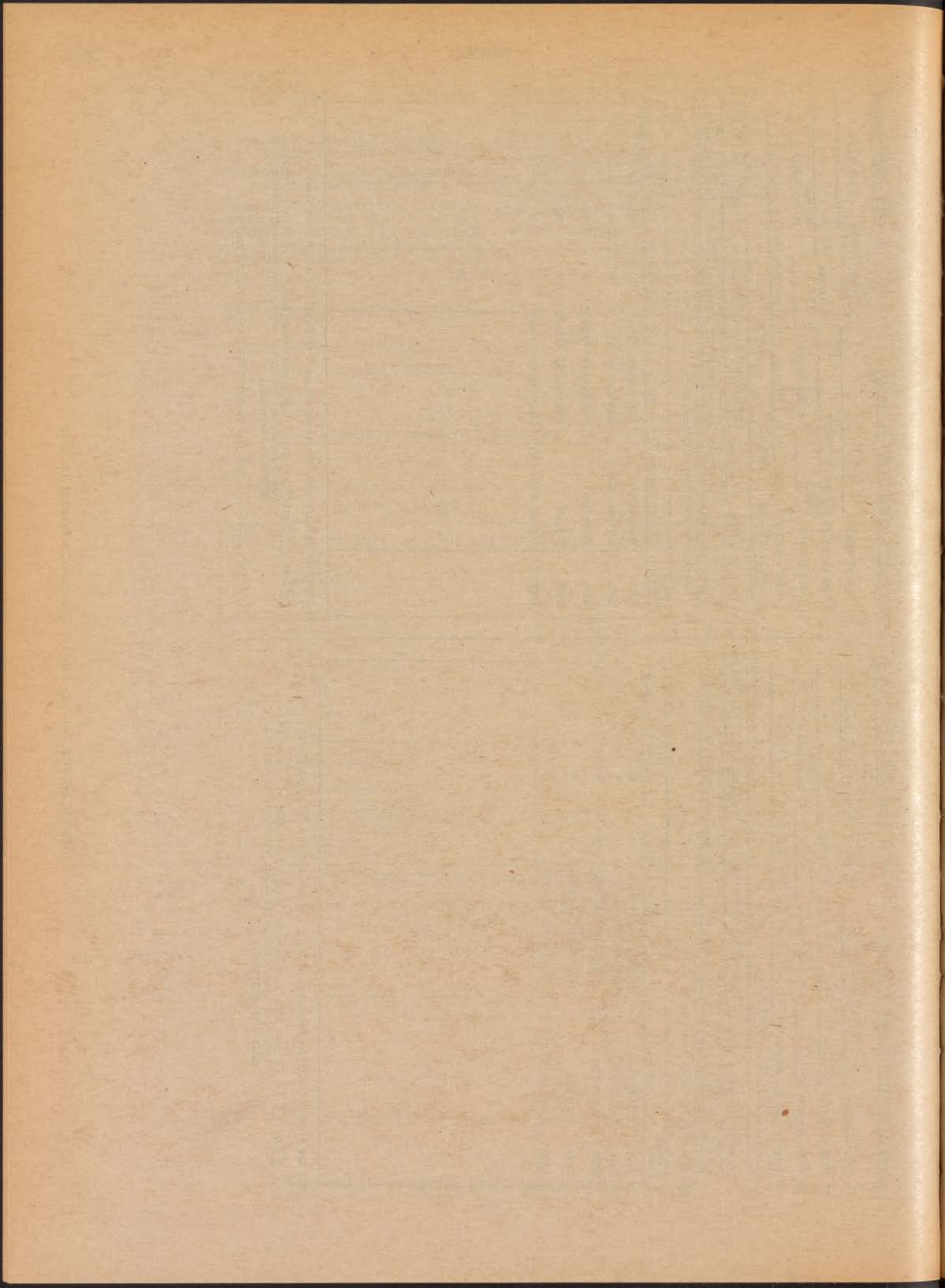
10. Fisheries for Which Permit is Requested:

Fishery Plans	Target Species	Gear To Be Used	Activity
MAC	Mackerel	Mid-water trawl	Catching x
HAK	Silver Hake	Bottom trawl	Processing x
HER	Herring	Mid-water trawl	Other Support x
SQU	Squid	Mid-water trawl	x
PNF	Other Finfish	Mid-water trawl	x

11. Are Fishing Activities Requested in Support of Vessels of a Different Flag:

☒ No ☐ Yes (If yes, attach supplemental sheet showing flag of other vessels, fishery, species, quantities, dates, locations and specific activities requested.)

[FR Doc.77-83071 Filed 11-16-77;8:45 am]



RECORD OF THE BOARD OF SUPERVISORS

1904

RESOLVED, That the Board of Supervisors do hereby certify that the following is a true and correct copy of the original record of the Board of Supervisors for the year 1904.

Witness my hand and the seal of the County of Los Angeles, California, this 1st day of January, 1905.

Attest: _____

County Clerk

County Auditor

County Treasurer

County Assessor

County Engineer

County Surveyor

County Jailor

County Sheriff

County Coroner

County Registrar

County Clerk of the Court

County Clerk of the Board of Supervisors

County Clerk of the Board of Education

County Clerk of the Board of Health

County Clerk of the Board of Public Works

CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1977)

<u>Quantity</u>	<u>Volume</u>	<u>Price</u>	<u>Amount</u>
_____	Title 32—National Defense (Parts 1000-1399)	\$2.75	\$_____
_____	Title 32—National Defense (Part 1600 to End)	2.75	_____
_____	Title 41—Public Contracts and Property Management (Chapter 7)	2.75	_____
		Total Order	\$_____

1A Cumulative checklist of CFR issuances for 1977 appears in the first issue of the Federal Register each month under Title 11

PLEASE DO NOT DETACH

MAIL ORDER FORM To:

Superintendent of Documents, Government Printing Office, Washington, D.C. 20402

Enclosed find \$_____ (check or money order) or charge to my Deposit Account No. _____

Please send me _____ copies of:

PLEASE FILL IN MAILING LABEL
BELOW

Name _____
Street address _____
City and State _____ ZIP Code _____

FOR USE OF SUPT. DOCS.

-----Enclosed-----
To be mailed
-----later-----
-----Subscription-----
Refund-----
Postage-----
Foreign Handling-----

FOR PROMPT SHIPMENT, PLEASE PRINT OR TYPE ADDRESS ON LABEL BELOW, INCLUDING YOUR ZIP CODE

SUPERINTENDENT OF DOCUMENTS
U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON, D.C. 20402

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U.S. GOVERNMENT PRINTING OFFICE
375
SPECIAL FOURTH-CLASS RATE
BOOK

Name _____
Street address _____
City and State _____ ZIP Code _____