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# FEDERAL REGISTER

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Washington, Wednesday, May 4, 1955

## TITLE 7—AGRICULTURE

### Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[Amdt. 1]

#### PART 728—WHEAT

#### SUBPART—WHEAT MARKETING QUOTAS FOR THE 1955 CROP

##### MISCELLANEOUS AMENDMENTS

The amendments herein are issued under the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, for the purpose of (1) publishing the dates in each county or areas within a county by which wheat acreage on a farm must be utilized as wheat cover crop, (2) extending the determination of farm normal yields so as to encompass all requirements of the regulations for such yields, (3) making it clear that the restriction against further review of any determination in connection with a farm marketing quota previously made by a review committee shall not preclude the reopening of the review hearing by the review committee or on behalf of the Secretary, (4) establishing the time within which excess wheat may be delivered to the Secretary, (5) supplying language omitted from § 728.586 (b) relating to records to be kept by buyers, and including the report and penalty receipt, Form MQ-81—Wheat (1955), as part of such records, and (6) correcting a typographical error in § 728.591 dealing with the confidential nature of records.

Farmers in some areas will soon be harvesting their 1955 crop wheat and it is imperative that they be informed of these amendments as soon as possible. Accordingly, it is hereby found that compliance with the notice, procedure, and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendments herein shall become effective upon filing of this document with the Director, Division of the Federal Register.

1. Section 728.551 (r) is amended by adding at the end thereof the following:

(r) \* \* \* The dates in each county or areas of a county by which the acreage of wheat on the farm must be utilized in

the prescribed manner as wheat cover crop are as follows:

#### ARKANSAS

May 20, 1955: All counties.

#### CALIFORNIA

May 1, 1955: Fresno, Imperial, Kern, Kings, Madera, Merced, Tulare.

June 1, 1955: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Inyo, Los Angeles, Mariposa, Mono, Nevada, Orange, Placer, Riverside, Sacramento, San Bernardino, San Diego, San Joaquin, Santa Barbara, Solano, Stanislaus, Sutter, Tehama, Tuolumne, Ventura, Yola, Yuba.

June 15, 1955: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Sonoma.

July 15, 1955: Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Trinity.

#### COLORADO

June 5, 1955: Adams, Arapahoe, Baca, Bent, Boulder, Cheyenne, Crowley, Douglas, Elbert (all land E Range 63W), El Paso, Huerfano, Kiowa, Kit Carson, Lincoln, Logan, Morgan, Otero, Phillips, Prowers, Weld.

June 10, 1955: Washington and Yuma.

June 15, 1955: Jefferson and Sedgwick.

June 20, 1955: Delta, Dolores, Elbert (all land W Range 62W), Fremont, La Plata, Larimer, Las Animas, Mesa, Montezuma, Montrose, Ouray, Pueblo, San Miguel, Yuma.

July 15, 1955: Alamosa, Archuleta, Chaffee, Conejos, Costilla, Custer, Eagle, Garfield, Grand, Gunnison, Jackson, Moffat, Park, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, Teller.

#### DELAWARE

May 31, 1955: All counties.

#### GEORGIA

May 2, 1955: Muscogee, Marion, Taylor, Peach, Houston, Twiggs, Wilkinson, Washington, Glascock, Jefferson, Richmond, and all Counties lying south thereof.

May 16, 1955: Harris, Talbot, Upson, Crawford, Bibb, Jones, Baldwin, Hancock, Warren, McDuffie, Columbia, and all Counties lying north thereof.

#### IDAHO

##### NON-IRRIGATED

June 20, 1955: Ada, Canyon.

July 1, 1955: Idaho, Latah, Nez Perce, Gem, Owyhee, Payette, Washington, Cassia, Lincoln, Minidoka, Twin Falls, Bannock, Franklin, Oneida.

July 5, 1955: Gooding.

July 10, 1955: Lewis, Jerome, Caribou.

July 15, 1955: Blaine, Camas, Bear Lake, Bingham, Power, Bonneville, Jefferson.

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(For use during 1955)

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**Title 49**

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 July 30, 1955: Butte, Custer, Clark, Fremont, Madison, Teton.  
 August 1, 1955: Bonner, Adams, Boise, Lemhi.  
 August 15, 1955: Valley.

**IRRIGATED**

June 20, 1955: Ada, Canyon.  
 July 1, 1955: Elmore, Gem, Owyhee, Twin Falls, Payette, Washington.  
 July 5, 1955: Cassia, Gooding.  
 July 10, 1955: Jerome.  
 July 15, 1955: Camas, Lincoln, Minidoka, Bannock, Franklin, Oneida, Power.  
 July 20, 1955: Benewah.  
 July 30, 1955: Blaine, Bear Lake, Bingham, Caribou, Bonneville, Jefferson.  
 August 1, 1955: Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Adams, Boise, Clark, Fremont, Lemhi.  
 August 15, 1955: Butte, Custer, Madison, Teton, Valley.

**ILLINOIS**

May 15, 1955: Alexander, Bond, Calhoun, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Green, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macoupin, Madison, Marion, Massac, Monroe, Montgomery, Morgan, Moultrie, Perry, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Scott, Shelby, Union, Wabash, Washington, Wayne, White, Williamson.

May 31, 1955: Adams, Boone, Brown, Bureau, Carroll, Cass, Champaign, Cook, De Kalb, DeWitt, DuPage, Ford, Fulton, Grundy, Hancock, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston, Logan, McDonough, McHenry, McLean, Macon, Marshall, Mason, Menard, Mercer, Ogle, Peoria, Platt, Putnam, Rock Island, Schuyler, Stark, Stephenson, Tazewell, Vermillion, Warren, Whiteside, Will, Winnebago, Woodford.

**INDIANA**

June 15, 1955: Allen, De Kalb, Elkhart, Fulton, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Newton, Noble, Porter, Pulaski, St. Joseph, Starke, Steuben, Whitley.  
 June 1, 1955: All other counties.

**IOWA**

**WINTER WHEAT**

June 1, 1955: All counties.

**SPRING WHEAT**

June 10, 1955: All counties.

**KANSAS**

May 25, 1955: Allen, Barber, Bourbon, Butler, Chautauqua, Cherokee, Comanche, Cowley, Crawford, Elk, Greenwood, Harper, Harvey, Kingman, Labette, Montgomery, Neosho, Pratt, Reno, Sedgwick, Sumner, Wilson, Woodson.

June 1, 1955: Anderson, Atchison, Barton, Brown, Chase, Clark, Clay, Cloud, Coffey, Dickinson, Doniphan, Douglas, Edwards, Ellsworth, Ford, Franklin, Geary, Grant, Gray, Haskell, Hodgeman, Jackson, Jefferson, Johnson, Kiowa, Leavenworth, Lincoln, Linn, Lyon, McPherson, Marion, Marshall, Meade, Miami, Morris, Morton, Nemaha, Osage, Ottawa, Pawnee, Pottawatomie, Republic, Rice, Riley, Rush, Saline, Seward, Shawnee, Stafford, Stanton, Stevens, Wabausee, Washington, Wyandotte.

June 5, 1955: Decatur, Ellis, Finney, Gove, Graham, Greeley, Hamilton, Jewell, Kearny,

Lane, Logan, Mitchell, Ness, Norton, Osborne, Phillips, Rooks, Russell, Scott, Sheridan, Smith, Trego, Wallace, Wichita.

June 10, 1955: Cheyenne, Rawlins, Sherman, Thomas.

**KENTUCKY**

June 1, 1955: All counties.

**MARYLAND**

June 15, 1955: Montgomery.

June 20, 1955: Garrett.

June 30, 1955: Allegany.

May 31, 1955: All other counties.

**MICHIGAN**

June 10, 1955: All counties south of and including: Oceana, Newaygo, Mecosta, Isabella, Midland, Bay, Huron.

June 15, 1955: All other counties in the lower Peninsula.

June 25, 1955: Upper Peninsula counties.

**MINNESOTA**

June 30, 1955: All counties.

**MISSOURI**

June 1, 1955: All counties south of the Missouri River.

June 10, 1955: All counties north of the Missouri River.

**MONTANA**

**WINTER WHEAT**

July 11, 1955: All counties.

**SPRING WHEAT**

July 21, 1955: All counties.

**NEBRASKA**

June 1, 1955: Adams, Burt, Butler, Cass, Clay, Colfax, Cuming, Dodge, Douglas, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Jefferson, Johnson, Kearney, Lancaster, Nemaha, Nuckolls, Otoe, Pawnee, Phelps, Red Willow, Richardson, Saline, Sarpy, Saunders, Seward, Thayer, Thurston, Washington, Webster, York.

June 15, 1955: Antelope, Arthur, Banner, Blaine, Boone, Box Butte, Boyd, Brown, Buffalo, Cedar, Chase, Cherry, Cheyenne, Custer, Dakota, Dawes, Dawson, Deuel, Dixon, Dundy, Garden, Garfield, Grant, Greeley, Hayes, Hitchcock, Holt, Hooker, Howard, Keith, Keya Paha, Kimball, Knox, Lincoln, Logan, Loup, McPherson, Madison, Merrick, Morrill, Nance, Perkins, Pierce, Platte, Polk, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Stanton, Thomas, Valley, Wayne, Wheeler.

**NEW JERSEY**

June 1, 1955: Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, Salem.

June 8, 1955: Mercer, Middlesex, Monmouth, Somerset, Union.

June 15, 1955: Bergen, Essex, Hunterdon, Morris, Passaic, Sussex, and Warren.

**NEW MEXICO**

May 15, 1955: Chaves, Curry, Eddy, Hidalgo, Otero, Roosevelt, Sierra.

June 1, 1955: Bernalillo, Catron, De Baca, Dona Ana, Grant, Guadalupe, Harding, Lee, Lincoln, Luna, McKinley, Mora, Quay, Sandoval, Sante Fe, Socorro, Torrance, Valencia.

June 15, 1955: Colfax, Rio Arriba, San Juan, San Miguel, Taos, Union.

**NEW YORK**

June 5, 1955: Nassau and Suffolk.

June 15, 1955: All other counties.

**NORTH CAROLINA**

May 15, 1955: All counties.

**NORTH DAKOTA**

July 1, 1955: Adams, Barnes, Billings, Bowman, Burleigh, Cass, Dickey, Dunn, Emmons, Golden Valley, Grant, Hettinger,

Kidder, La Moure, Logan, McIntosh, Mercer, Morton, Oliver, Ransom, Richland, Sargent, Sioux, Slope, Stark, Stutsman.

July 10, 1955: Benson, Bottineau, Burke, Cavalier, Divide, Eddy, Foster, Grand Forks, Griggs, McHenry, McKenzie, McLean, Mount-rail, Nelson, Pembina, Pierce, Ramsey, Ren-ville, Rolette, Sheridan, Steele, Townner, Traill, Walsh, Wash, Wells, Williams.

**OHIO**

June 11, 1955: All counties.

**OKLAHOMA**

April 15, 1955: Caddo, Comanche, Cotton, Grady, Greer, Harmon, Jackson, Jefferson, Kiowa, Stephens, Tillman, Washita.

May 15, 1955: Alfalfa, Beaver, Blaine, Cimarron, Dewey, Ellis, Garfield, Grant, Harper, Kay, Kingfisher, Major, Noble, Texas, Woods, Woodward.

May 1, 1955: All other counties.

**OREGON**

**WINTER WHEAT**

June 1, 1955: Wasco.

June 15, 1955: Benton, Clackamas, Clat-sop, Columbia, Coos, Curry, Gilliam under 3000 feet elevation, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Mor-row under 2,000 feet elevation, Multnomah, Polk, Sherman, Tillamook, Umatilla under 2,000 feet elevation, Washington, Yamhill.

July 1, 1955: Douglas, Morrow over 2,000 feet elevation, Union.

July 15, 1955: Baker, Gilliam over 3,000 feet elevation, Umatilla over 2,000 feet elevation.

July 20, 1955: Wallowa.

**SPRING WHEAT**

July 15, 1955: Union.

August 1, 1955: Baker.

August 20, 1955: Wallowa.

**PENNSYLVANIA**

June 1, 1955: Adams, Bedford, Berks, Bucks, Chester, Cumberland, Dauphin, Dela-ware, Franklin, Greene, Huntingdon, Juniata, Lancaster, Lebanon, Lehigh, Mifflin, Mont-gomery, Northampton, Perry, Philadelphia, Schuylkill, Washington, York.

June 13, 1955: Allegheny, Armstrong, Beaver, Blair, Bradford, Butler, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Fulton, Indiana, Jefferson, Lackawanna, Lawrence, Luzerne, Lycoming, McKean, Mercer, Monroe, Montour, North-umberland, Pike, Potter, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Ve-nango, Warren, Wayne, Westmoreland, Wyo-ming.

**SOUTH CAROLINA**

May 14, 1955: All counties.

**SOUTH DAKOTA**

June 15, 1955: Aurora, Bennett, Bon Homme, Brule, Charles Mix, Clay, Custer, Davison, Douglas, Fall River, Gregory, Han-son, Hutchinson, Jackson, Jones, Lincoln, Lyman, McCook, Mellette, Minnehaha, Pen-nington, Shannon, Todd, Tripp, Turner, Union, Washabaugh, and Yankton.

July 2, 1955: Beadle, Brookings, Brown, Buffalo, Butte, Campbell, Clark, Codington, Corson, Day, Deuel, Dewey, Edmunds, Faulk, Grant, Haakon, Hamlin, Hand, Harding, Hughes, Hyde, Jerauld, Kingsbury, Lake, Lawrence, McPherson, Marshall, Meade, Miner, Moody, Perkins, Potter, Roberts, San-born, Spink, Stanley, Sully, Walworth, and Ziebach.

**TENNESSEE**

May 20, 1955: All counties.

**TEXAS**

April 1, 1955: Brazoria, Calhoun, Chambers, Fort Bend, Galveston, Harris, Jackson, Jeffer-son, Liberty, Matagorda, Victoria and Wharton.

RULES AND REGULATIONS

May 1, 1955: Austin, Bee, Callahan, Coke, Coleman, Collin, Colorado, Comanche, Concho, Cooke, Dallas, Denton, De Witt, Eastland, Erath, Grayson, Fayette, Fisher, Irion, Jones, Karnes, Lavaca, Lee, Live Oak, Menard, Nolan, Palo Pinto, Presidio, Runnels, Schackelford, Stephens, Taylor, Tom Green, Sterling, Waller, Washington, and Wilson.

May 10, 1955: Fannin, Lamar, Delta, Hunt, Rockwall, Kaufman, Parker, Tarrant, Hood, Johnson, Somervell, Ellis, Hill, Navarro, Bowie, Camp, Cass, Franklin, Gregg, Harrison, Henderson, Hopkins, Marion, Morris, Panola, Rains, Red River, Rusk, Smith, Titus, Upshur, Van Zandt, Wood, Bastrop, Bell, Bosque, Brazos, Burleson, Burnet, Caldwell, Coryell, Falls, Gonzales, Guadalupe, Hamilton, Hays, Lampasas, Limestone, Milam, McLennan, Robertson, Travis, Williamson, Anderson, Angelina, Cherokee, Freestone, Grimes, Houston, Jasper, Leon, Madison, Montgomery, Nacogdoches, Newton, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, and Walker.

UTAH

July 25, 1955: Daggett, Garfield, Rich, Summit, Wasath, and Wayne Counties.  
June 25, 1955: All other counties.

WASHINGTON

Date	Area	Type	County
June 20, 1955		Winter	Adams.
July 10, 1955		Spring	Do.
July 30, 1955	1 and 4	All wheat	Asotin.
July 1, 1955	2	do	Do.
July 20, 1955	3	do	Do.
July 15, 1955	5	do	Do.
June 15, 1955		Winter	Benton.
July 15, 1955	Irrigated	Spring	Do.
Sept. 1, 1955	A	do	Chelan.
Aug. 15, 1955	B	Winter	Do.
Aug. 1, 1955	B	Spring	Do.
July 15, 1955	B	Winter	Do.
Do.		All wheat	Challam.
July 20, 1955		do	Clark.
June 15, 1955	All communities except Dittmore, Columbia and Star	Winter	Columbia.
July 1, 1955	Dittmore, Columbia and Star communities only	do	Do.
June 30, 1955	All communities except Dittmore, Columbia and Star	Spring	Do.
July 15, 1955	Dittmore, Columbia and Star communities only	do	Do.
July 20, 1955		All wheat	Cowlitz.
July 1, 1955		Winter	Douglas.
Aug. 1, 1955		Spring	Do.
July 15, 1955		All wheat	Ferry.
June 15, 1955		do	Franklin.
June 1, 1955	Central Ferry Area	do	Garfield.
June 15, 1955	Dodge, Ping, Gould City, and Lower Alpowa Area	do	Do.
July 1, 1955	Mayview, Pataha Flat, Zumwalt and Dutch Flat Area	do	Do.
July 15, 1955	Upper Alpowa, Peola, Columbia Center and Scoggin Area	do	Do.
June 20, 1955	All areas except irrigated section of Wilson Creek Community	do	Grant.
Aug. 10, 1955	Wilson Creek, irrigated section	do	Do.
July 15, 1955		do	Grays Harbor.
Do.		do	Island.
Do.		do	Jefferson.
Do.		do	King.
Do.		do	Kitsap.
Aug. 1, 1955		do	Kittitas.
June 10, 1955	East of Rock Creek and the Goodnoe Hill Area	do	Klickitat.
July 1, 1955	West of Rock Creek and West of Goodnoe Hill Area	do	Do.
July 20, 1955		do	Lewis.
June 25, 1955	North of Highway No. 2 and Davenport-Harrington Tokio Road-East	do	Lincoln.
June 10, 1955	South of Highway No. 2	do	Do.
July 1, 1955		do	Mason.
June 1, 1955	Communities A, B, G, H and M	Winter	Okanogan.
July 1, 1955	do	Spring	Do.
Do.	Communities C, D, E, F, I, J, K, L, N and O	Winter	Do.
Aug. 1, 1955	do	Spring	Do.
July 15, 1955		All wheat	Pacific.
Aug. 1, 1955		do	Pend Oreille.
Do.		do	Pierce.
Aug. 15, 1955		do	San Juan.
July 15, 1955		do	Skagit.
Do.		do	Skamania.
July 25, 1955	Area due west on north boundary of Township 24 to where it intercedes the east boundary of Range 42 and then due south to county line	do	Spokane.
July 10, 1955	All the remainder of the county	do	Do.
July 15, 1955		do	Stevens.
Do.		do	Thurston.
July 31, 1955		do	Wahkiakum.
June 20, 1955	Dry land areas below elevation of Airport	do	Walla Walla.
July 20, 1955	All other dry land areas and irrigated sections	do	Do.
July 15, 1955		do	Whatecom.
July 25, 1955	Eastern Whitman	do	Whitman.
July 10, 1955	Western Whitman	do	Do.
June 15, 1955	Lower Valley and Glade	do	Yakima.
July 31, 1955	Central Area	do	Do.
Aug. 31, 1955	Upper Valley	do	Do.

VIRGINIA

June 1, 1955: Accomac, Albemarle, Amelia, Amherst, Appomattox, Bedford, Brunswick, Buckingham, Campbell, Caroline, Charles City, Charlotte, Chesterfield, Culpeper, Cumberland, Dinwiddie, Essex, Fairfax, Fauquier, Fluvanna, Franklin, Gloucester, Goochland, Greene, Greensville, Halifax, Hampton, Hanover, Henrico, Henry, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, Lunenburg, Madison, Mathews, Mecklenburg, Middlesex, Nansemond, Nelson, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Pittsylvania, Powhatan, Prince Edward, Prince George, Prince William, Princess Anne, Rappahannock, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warwick, Westmoreland, York.

June 15, 1955: Alleghany, Augusta, Bath, Bland, Botetourt, Buchanan, Carroll, Clarke, Craig, Dickenson, Floyd, Frederick, Giles, Grayson, Highland, Lee, Montgomery, Page, Patrick, Pulaski, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise and Wythe.

WEST VIRGINIA

June 5, 1955: All counties.

WISCONSIN

June 10, 1955: Adams, Columbia, Crawford, Dane, Dodge, Dunn, Eau Claire, Fond Du Lac, Grant, Green, Greenlake, Iowa, Jackson, Jefferson, Juneau, Kenosha, LaCrosse, Lafayette, Marquette, Milwaukee, Monroe, Ozaukee, Pepin, Portage, Racine, Richland, Rock, Sauk, Trempealeau, Vernon, Wallworth, Washington, Waukesha, Wau-shara, and Winnebago.

July 5, 1955: Barron, Brown, Buffalo, Burnett, Calumet, Chippewa, Clark, Door, Ke-waunee, Langlade, Lincoln, Manitowoc, Mar-athon, Marinette, Oconto, Oneida, Outaga-mie, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Shawano, Sheboygan, Taylor, Vilas, Washburn, Waupaca, and Wood.

July 15, 1955: Ashland, Bayfield, Douglas, Florence, Forest, and Iron.

WYOMING

WINTER WHEAT

June 20, 1955: Goshen, Laramie and Platte.

June 25, 1955: Converse.  
July 1, 1955: Carbon, Fremont, Hot Springs, Johnson, Natrona, Niobrara, Sheri-dan, and Washakie.

July 15, 1955: Albany, Big Horn, Campbell, Crook, Park, and Weston.

August 1, 1955: Lincoln, Sublette, Sweet-water, Teton, and Uinta.

SPRING WHEAT

July 10, 1955: Converse.  
July 15, 1955: Johnson, Niobrara and Sheridan.

August 1, 1955: Crook and Weston.

2. Section 728.553 (a) is amended to read as follows:

(a) Farms for which normal yields will be determined. The Secretary, through the county committee, will determine a normal yield for each farm for which a farm marketing excess is determined for the 1955 crop, for each farm for which a request is made to the county committee by the operator prior to seeding, and for each farm as required for the purposes of the provisions of § 728.582 (h) and (i).

3. Section 728.565 (a) is amended to read as follows:

(a) Right to review by review committee. Any producer who is dissatisfied with the farm acreage allotment, normal yield, farm marketing quota, farm marketing excess, or other determination for his farm in connection with marketing quotas may, within 15 calendar days after the notice thereof was mailed to him (except as provided in § 728.661), apply in writing for a review by a review committee of such acreage allotment, normal yield, farm marketing quota, farm marketing excess or other determination in connection therewith: *Provided*, That if a review hearing has been held and determination made by a review committee with respect to the acreage allotment, normal yield, farm marketing quota, farm marketing excess, or other determination in connection therewith, no application by a producer for further review by a review committee with respect to such determination may be filed. Unless application for review is made within such period, the acreage

allotment, normal yield, farm marketing quota, farm marketing excess, or other determination, as the case may be, shall be final as to the producers on the farm. Application for review and the review committee proceedings shall be in accordance with the review regulations (Form MQ-51) as issued by the Secretary (Part 711 of this chapter).

4. Section 728.583 is amended by adding a new paragraph (c) as follows:

(c) *Time of delivery.* Excess wheat may be delivered to the Secretary at any time within 60 calendar days after the date on which the harvesting of wheat is normally substantially completed in the county as determined by the State committee in accordance with § 728.561 (a). Excess wheat may be delivered to the Secretary after such 60-day period only if the excess wheat was stored in accordance with the provisions of § 728.582 (a) through (f) and the wheat has not gone out of condition through any fault of the producer.

5. Section 728.586 (b) is amended to read as follows:

(b) *Nature and availability of records.* Each warehouseman, elevator operator, feeder, or processor, and each buyer other than an intermediate buyer, shall keep, as a part of or in addition to the records maintained by him in the conduct of his business, a record which shall show with respect to the wheat purchased, acquired, or received by him from the producers or the intermediate buyers thereof the following information:

(1) The name and address of the producer of the wheat, (2) the date of the transaction, (3) the amount of the wheat, (4) the serial number of the marketing card (MQ-76—Wheat (1955)), or marketing certificate (MQ-94—Wheat (1955)), or intermediate buyer's record and report (MQ-95—Wheat (1955)) by which the wheat was identified, or the report and penalty receipt (MQ-81—Wheat (1955)), and (5) the amount of any lien for the penalty or of any penalty incurred in connection with the wheat purchased, acquired, or received by him. The record so made shall be kept available for examination by the county office manager or any authorized representative of the State Administrative Officer or of the Director, Compliance and Investigation Division, Commodity Stabilization Service, U. S. Department of Agriculture, for two calendar years beyond the calendar year in which the marketing year ends. The records shall be examined only for the purpose of ascertaining the correctness of any report made or record kept pursuant to the regulations in this subpart, or of obtaining the information required to be furnished in any report pursuant to the regulations in this subpart but not so furnished. The county office manager shall furnish without cost, blank copies of MQ-97—Wheat (1955) which may be used for the purpose of keeping the record required under this section.

6. Section 728.591 is amended by substituting "herein" for the word "therein" in the first sentence thereof.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 331-339, 362-368, 372-376, 52 Stat. 38, as amended; 55 Stat. 203, as amended; 7 U. S. C. 1301, 1331-1340, 1362-1368, 1372-1376)

Done at Washington, D. C., this 28th day of April 1955.

[SEAL] TRUE D. MORSE,  
Acting Secretary of Agriculture.

[F. R. Doc. 55-3593; Filed, May 3, 1955; 8:48 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 52]

#### PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

##### SUBPART B—VESICULAR EXANTHEMA

###### CHANGES IN AREAS QUARANTINED

Pursuant to the provisions of sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123, 125), sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111-113, 120), and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117), § 76.27, as amended, Subpart B, Part 76, Title 9, Code of Federal Regulations (20 F. R. 2881), which contains a notice with respect to the States in which swine are affected with vesicular exanthema, a contagious, infectious, and communicable disease, and which quarantines certain areas in such States because of said disease, is hereby further amended in the following respects:

1. Subparagraphs (1), (8) and (11), of paragraph (a), relating to California, are amended to read:

(1) NE. ¼ Sec. 25, T. 3 S., R. 3 W., MDBM; E. ½ Sec. 13, T. 3 S., R. 3 W., MDBM; Secs. 22 and 24, T. 3 S., R. 2 E., MDBM; and that area included within a boundary beginning at a point on W. line of Plot 4, Rancho El Valle, 10.47 chains N. from N. line Plot 3, Rancho El Valle, thence N. 53° W. 17.95 chains, thence N. 69° 4' E. 6.67 chains, thence N. to County Road, thence SE. 100 feet along SW. line of County Road, thence S. to point of beginning, consisting of 32.98 acres within lots 8-15, in Alameda County.

(8) SE. ¼ of SW. ¼ Sec. 32, T. 1 N., R. 5 W., SBBM; E. ½ of NE. ¼ Sec. 25, T. 3 N., R. 6 W., SBBM; and W. ½ of NE. ¼ Sec. 25, T. 3 N., R. 6 W., SBBM; and SE. ¼ Sec. 31, T. 2 N., R. 9 E., SBBM, in San Bernardino County.

(11) SW. ¼ Sec. 7, T. 3 S., R. 5 W., MDBM; SW. ¼ Sec. 12, T. 3 S., R. 6 W., MDBM; SW. ¼ Sec. 11, T. 3 S., R. 6 N., MDBM; NE. ¼ Sec. 26, T. 3 S., R. 6 W., MDBM; and NW. ¼ Sec. 28, T. 4 S., R. 6 W., MDBM; in San Mateo County.

2. New subdivisions (ix), (x), and (xi) are added to subparagraph (8) of paragraph (d), relating to Gloucester County in New Jersey, to read:

(ix) That part of Deptford Township bounded on the north by Central Avenue, on the east by Delsea Drive, on the west by Cedar Street, and on the south by a line

beginning at a point on Delsea Drive 1.100 feet south of Central Avenue running west to Cedar Street, owned and operated by William C. Henry;

(x) That part of Deptford Township bounded by a line beginning at a point on Delsea Drive 58 feet south of Deptford Avenue, running westerly 2,313 feet, thence southerly 241 feet, thence easterly 685 feet, thence southerly 350 feet, thence easterly 330 feet, thence northerly 800 feet, thence easterly 1,160 feet to Delsea Drive, thence northerly on Delsea Drive to point of origin, owned and operated by Lichtman Brothers, Westville, New Jersey;

(xi) That part of Monroe Township south of Corkery Road, west of Bluebell Road, and north and east of Hospitality Branch (Creek).

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

The amendment excludes certain areas in California and New Jersey from the areas heretofore quarantined because of vesicular exanthema. Hereafter, the restrictions pertaining to the interstate movement of swine, and carcasses, parts and offal of swine, from or through quarantined areas, contained in 9 CFR, 1954 Supp., Part 76, Subpart B, as amended, will not apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas, contained in said Subpart B, as amended, will apply thereto.

The amendment relieves certain restrictions presently imposed, and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 111-113, 117, 120, 123, 125)

Done at Washington, D. C., this 29th day of April 1955.

[SEAL] M. R. CLARKSON,  
Acting Administrator,  
Agricultural Research Service.

[F. R. Doc. 55-3619; Filed, May 3, 1955; 8:54 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 42-1]

#### PART 42—IRREGULAR AIR CARRIER AND OFF ROUTE RULES

##### AUTHORITY TO DEVIATE FROM REGULATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 29th day of April 1955.

Currently effective Special Civil Air Regulation SR-385D delegates to the Administrator authority to permit deviations from Part 42 of the Civil Air Regulations to air carriers conducting military contract operations or air carriers conducting emergency operations necessary for the protection of life or

property. This regulation became effective February 1, 1955, and extended the expiration date of SR-385C until May 1, 1955, with respect to Part 42 operations only.

The substance of SR-385D was essentially that proposed by the Bureau of Safety Regulation in a notice of proposed rule-making published in the FEDERAL REGISTER (19 F. R. 8783) and circulated as Civil Air Regulations Draft Release No. 54-26. The latter proposed to continue the basic authority of the Administrator to authorize deviations by incorporating the substance of SR-385C into Part 42 of the Civil Air Regulations, since all waivers granted pursuant to SR-385C and its predecessor regulations had been waivers of only the provisions of Part 42.

The Board was advised during its consideration of the comment received in response to Draft Release No. 54-26 that the military requirements concerning the contract carriage of personnel and goods by civil aircraft were being re-evaluated by the Department of Defense. Since defense requirements have a direct bearing on the question of continuing this deviation authority in the operating parts on a permanent basis, the Board could not make a final determination in this matter until it had received a re-statement of defense requirements. Therefore, the Board issued SR-385D as a temporary regulation in order to permit continued operations in accordance with existing deviation authority until a final determination could be made as to the necessity of incorporating the deviation authority into the operating parts on a permanent basis.

The Board has now received the views of the Department of Defense relative to extending indefinitely the authority of the Administrator to grant deviations from the operating rules in Part 42 to air carriers conducting military contract operations. It is the stated desire of the Department of Defense that commercial carriers operating under military contracts should normally conduct their operations in accordance with the requirements of the Civil Air Regulations. However, the Department affirmed in all essential respects the Bureau of Safety Regulation's opinion, expressed in Draft Release No. 54-26, that world conditions are still such that an emergency requiring the immediate participation of the air carriers can develop without notice, and that operational problems also may arise in the conduct of "routine" military contract operations that can be met satisfactorily only by deviations from the normal air carrier regulations.

The Board believes that this deviation authority should be authorized only when the Department of Defense has certified to the Administrator that the operation for which a deviation is requested is essential to the national defense and requires a deviation from Part 42. Upon receipt of such certification, the Administrator may authorize such operation to be conducted subject to any terms and conditions that he considers appropriate in the interest of safety. In addition, it is the Board's view that the need for deviations shall not be based

upon economic advantage or convenience to either the operator or the government, or both. These conditions have been incorporated into the amendment contained herein and should allay the fears expressed by interested persons that this authority might result in the unjustifiable lowering of the standard of safety in these operations.

With respect to the authority to deviate in operations under conditions of an emergency necessitating the transportation of persons or supplies for the protection of life or property, the Board envisages this authority being exercised in cases such as the Texas City explosion, Kansas City floods, Hurricane Hazel, etc., where a disaster of national significance has occurred, and where the use of an emergency airlift will be necessary. Since no deviations have been granted under the previous special regulations for such emergency operations, no substantial changes have been made in the provisions covering emergency operations.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented. Since this amendment relieves a restriction and imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 42 of the Civil Air Regulations (14 CFR Part 42, as amended) effective May 1, 1955:

By adding a new § 42.2 to read as follows:

§ 42.2 *Deviation authority.* (a) Contrary provisions of this part notwithstanding,

(1) The Administrator may, upon application by an appropriately certificated air carrier conducting, or intending to conduct, operations pursuant to a contract with the military services (primary contractor), or an appropriately certificated air carrier conducting operations for the military services pursuant to a subcontract with a primary contractor, authorize such air carrier to deviate from the applicable provisions of this part, subject to any terms and conditions that the Administrator shall find are necessary in the interests of safety: *Provided*, That the Department of Defense certifies to the Administrator that the subject operation is essential to the national defense and requires the requested deviation: *And provided further*, That the granting of a deviation shall not be based upon an economic advantage or convenience to either the air carrier or the government, or both.

(2) The Administrator may, upon application by an appropriately certificated air carrier, authorize an air carrier proposing to conduct operations under conditions of an emergency necessitating the transportation of persons or supplies for the protection of life or property, to deviate from any provision of this part to the extent that the Administrator finds that a deviation from this part is necessary for the expeditious conduct of such operations.

(b) Any deviation authority granted by the Administrator pursuant to this section shall be limited to those military contract operations certified by the Department of Defense as essential to the national defense, or operations conducted under conditions of an emergency as determined by the Administrator and shall not be applicable to any other type of operation.

(c) The Administrator shall, in any authorization granted pursuant to this section, specify the terms, conditions, and limitations of the authorization for the deviation and each air carrier shall, in the conduct of these operations, comply with such terms, conditions, and limitations.

(d) Grants of deviation authority issued pursuant to this section shall be subject to review by the Board and may be terminated at any time by the Board or the Administrator. The Administrator shall give prompt notice to the Board of any deviation authority issued hereunder.

(e) Authorized deviations now in existence shall be continued in effect in accordance with their terms and conditions until 90 days after the effective date of this amendment, or upon their stated expiration date, whichever shall first occur, unless reissued pursuant to this section.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 604, 52 Stat. 1007, 1010, as amended; 49 U. S. C. 551, 554)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 55-3621; Filed, May 3, 1955; 8:54 a. m.]

## Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 112]

### PART 608—RESTRICTED AREAS

#### ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, the Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.18, the Valparaiso, Florida, area (R-150 formerly D-150) revised on September 22, 1951, in 16 F. R. 9680, is amended by changing the "Description by Geographical Coordinates" column to read: "Bounded on the Northeast by a straight line between latitude 30°43'45", longitude 86°10'30", and latitude 30°41'00", longitude 86°05'30"; bounded on the east by Restricted (Danger) Area R-183; bounded on the south by Warning Area W-151; bounded on the west

by the Eglin AFB Control Area; bounded on the north by Civil Airway Red No. 30."

2. In § 608.18, the Valparaiso, Florida, area (R383 formerly D-383), published on September 22, 1951, in 16 F. R. 9680, is amended by changing the "Description by Geographical Coordinates" column to read: Beginning at latitude 30°33'40", longitude 86°55'00"; thence north to latitude 30°38'45", longitude 86°55'00"; thence northeasterly along the L & N Railroad to latitude 30°42'45", longitude 86°45'45"; thence east to latitude 30°42'50", longitude 86°35'30"; thence south to latitude 30°20'30", longitude 86°35'15"; thence westerly and 3 nautical miles from the shoreline to latitude 30°20'15", longitude 86°48'00"; thence north to latitude 30°25'00", longitude 86°48'00"; thence westerly along U. S. Highway No. 98 to latitude 30°24'15", longitude 86°52'00"; thence along the Navarre-Milton Highway to latitude 30°33'40", longitude 86°55'00"; point of beginning.

3. In § 608-38, the Warren Grove, New Jersey, area (R-26 formerly D-26), amended on May 17, 1951, in 16 F. R. 4607, is further amended by changing the "Using Agency" column to read: "Commander, U. S. Naval Air Bases, Fourth Naval District, Naval Air Station, Atlantic City, New Jersey".

4. In § 608-38, the New Greta, New Jersey, area (R-27 formerly D-27), published on July 16, 1949 in 14 F. R. 4293, is amended by changing the "Using Agency" column to read: "Commander, U. S. Naval Air Bases, Fourth Naval District, Naval Air Station, Atlantic City, New Jersey".

5. In § 608-38, the Brigantine, New Jersey, area (R-28 formerly D-28), published on September 7, 1951, in 16 F. R. 9070, is amended by changing the "Using Agency" to read: "Commander, U. S. Naval Air Bases, Fourth Naval District, Naval Air Station, Atlantic City, New Jersey".

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on May 5, 1955.

[SEAL] F. B. LEE,  
Administrator of Civil Aeronautics.

[F. R. Doc. 55-3577; Filed, May 3, 1955; 8:45 a. m.]

**TITLE 19—CUSTOMS DUTIES**

**Chapter I—Bureau of Customs,  
Department of the Treasury**

[T. D. 53789]

**PART 1—CUSTOMS DISTRICTS AND PORTS**  
REVOCATION OF DESIGNATION OF PORT SAN LUIS, CALIFORNIA, AS PORT OF DOCUMENTATION

Effective 30 days after the date of publication of this notice in the FEDERAL REGISTER, the designation of Port San Luis, California, in the District of Los Angeles, California, as a port of documentation is revoked and the marine records of this port are transferred to the port of Los Angeles, California,

which shall become the home port of all vessels whose home Port is San Luis, California, on the date of revocation. To indicate such revocation § 1.1 (c) of the Customs Regulations is amended by deleting the asterisk appearing before the words Port San Luis under the heading Ports of Entry for District No. 27, Los Angeles.

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624. Interprets or applies sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended; 19 U. S. C. 1, 2)

Notice of the proposed revocation of the designation of Port San Luis, California, as a port of documentation was published in the FEDERAL REGISTER of March 8, 1955 (20 F. R. 1379), pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003). No objections to the issuance of the above revocation were received.

[SEAL] RALPH KELLY,  
Commissioner of Customs.

Approved: April 26, 1955.

H. CHAPMAN ROSE,  
Acting Secretary of the Treasury.

[F. R. Doc. 55-3597; Filed, May 3, 1955; 8:49 a. m.]

**TITLE 30—MINERAL RESOURCES**

**Chapter I—Bureau of Mines,  
Department of the Interior**

**Subchapter D—Electrical Equipment, Lamps,  
Methane Detectors; Tests for Permissibility;  
Fees**

[Bureau of Mines Schedule 9B, Supp. 1]

**PART 23—TELEPHONE AND SIGNALING  
DEVICES**

**MISCELLANEOUS AMENDMENTS**

Part 23 is hereby amended as follows:

1. Section 23.2 (b) is amended by deleting the words "issued only by the Director of" and substituting the word "from."

2. Section 23.2 (d) is amended by rewording as follows:

(d) "Permissible" as used in this part means completely assembled and conforming in every respect with the design formally approved by the Bureau of Mines under this part. (Approvals under this part are given only to equipment for use in gassy and dusty mines.)

3. Section 23.3 (a) is amended by rewording as follows:

(a) *Applications.* Before the Bureau of Mines will undertake the active investigation leading to approval of any telephone or signaling service, the manufacturer shall make application by letter for an investigation leading to approval of his device. This application in duplicate, accompanied by a check, bank draft, or money order, payable to the United States Bureau of Mines, to cover all the necessary fees, shall be sent to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pa., together with the required drawings, one complete telephone or signaling device, and instructions for its operation.

4. Section 23.4 (a) is amended to read as follows:

(a) The fee for the complete investigation of a telephone or signaling device under this part is \$95.

5. Section 23.4 (b) is deleted.

6. Section 23.4 (c) is amended by changing (c) to (b); by deleting the words "Item 2"; and by deleting the words "Director of the Bureau" and substituting the words "Central Experiment Station."

7. Section 23.5 (a) is amended by deleting the words "marked 'Attention of the Electrical Engineer'."

8. Section 23.5 (c) is amended by rewording as follows:

(c) *Observers at formal investigations and demonstrations.* No one shall be present during any part of the formal investigation conducted by the Bureau which leads to approval for permissibility except the necessary Government personnel, representatives of the applicant, and such other persons as may be mutually agreed upon by the applicant and the Bureau. Upon granting approval for permissibility, the Bureau will announce that such approval has been granted to the device and may thereafter conduct, from time to time in its discretion, public demonstrations of the tests conducted on the approved device. Those who attend any part of the investigation, or any public demonstration, shall be present solely as observers; the conduct of the investigation and of any public demonstration shall be controlled wholly by the Bureau's personnel. Results of chemical analyses of material and all information contained in the drawings, specifications, and instructions shall be deemed confidential and their disclosure will be appropriately safeguarded by the Bureau.

9. Section 23.5 (f) is amended by deleting the words "the Director of."

10. Section 23.11 is amended by rewording the first sentence to read as follows: "All approvals are granted by official letter from the Bureau of Mines."

11. Section 23.14 (a) is amended by deleting the words "Director of the Bureau of Mines at Washington, D. C.," and substituting the words "Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pa." in the first sentence; also, by revising the second sentence to read as follows: "With this request, he should submit a revised drawing or drawings showing the changes in detail, together with one of each of the parts affected."

12. Section 23.14 (c) is amended by deleting the words "advised through the Director's office" and substituting the words "officially advised by the Bureau of Mines."

(Sec. 5, 36 Stat. 370, as amended, 30 U. S. C. sec. 7. Interpret or apply secs. 2, 3, 36 Stat. 370, as amended, 30 U. S. C. 3, 5)

CLARENCE A. DAVIS,  
Acting Secretary of the Interior.

APRIL 28, 1955.

[F. R. Doc. 55-3579; Filed, May 3, 1955; 8:45 a. m.]

## TITLE 36—PARKS, FORESTS, AND MEMORIALS

### Chapter I—National Park Service, Department of the Interior

#### PART 20—SPECIAL REGULATIONS

##### GRAND CANYON NATIONAL PARK

1. Paragraph (f) *Speed* of § 20.4 *Grand Canyon National Park*, is amended to read as follows:

(f) *Speed*. The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) 35 miles per hour on any road, except East Rim Drive, south entrance to junction with East Rim Drive, and north entrance to junction with Cape Royal-Point Imperial spur.

(2) Approaching and at road intersections, entrance stations, and in residential areas, 25 miles per hour, as posted.

(3) In school zone, 15 miles per hour, as posted.

(4) On all curves and grades where so posted, 25 miles per hour.

(5) Trucks of two and one-half tons capacity or over, 35 miles per hour.

(6) Cars towing trailers or other cars or vehicles of any kind, 35 miles per hour.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 9th day of April 1955.

[SEAL]

P. P. PATRAW,  
Superintendent,  
Grand Canyon National Park.

[F. R. Doc. 55-3580; Filed, May 3, 1955;  
8:45 a. m.]

#### PART 20—SPECIAL REGULATIONS

##### YELLOWSTONE NATIONAL PARK

Paragraph (d) *Boats* of § 20.13 *Yellowstone National Park*, is amended to read as follows:

(d) *Boats*—(1) *Permit*. A permit, issued by the Superintendent, is required for all boats operated upon the waters of the Park. This permit must be carried within the boat at all times when any person is aboard, and shall be exhibited upon request to any person authorized to enforce the regulations in this chapter. A violation of the regulations, or disregard of the conditions outlined, by the permittee or other persons using the boat, will constitute cause for the cancellation of the permit.

(2) *Commercial operation*. No privately owned boat shall be used to carry passengers for hire or be used in any commercial operation.

(3) *Size limitation*. No privately owned boat more than 32 feet in length, and no sail boat of any character, shall be placed or operated upon waters of the park.

(4) *Removal of boats*. All privately owned boats shall be removed from the Park during the period November 1 to April 30, inclusive.

(5) *Boat equipment and requirements*. All boats operated upon Park waters are subject to the following requirements:

(i) All boats operated from sunset to sunrise must display the following lights:

(a) Class A (less than 16 feet in length). A clear white light showing all around the horizon and visible for one mile.

(b) Class I (16 feet to less than 26 feet in length). Same light requirement as Class A boats.

(c) Class II (26 feet to 32 feet in length). Individual running lights, red to port and green to starboard, visible for one mile. A bright white light aft showing all around the horizon and visible for two miles, also a bright white light forward showing from right ahead to two points abaft the beam on both sides and visible for two miles.

(ii) Boats shall carry an approved warning device as follows:

(a) Class A boats. No warning device required.

(b) Class I boats. A hand, mouth, or power operated whistle or horn, capable of producing a blast for at least two seconds duration and audible for a distance of at least one-half mile.

(c) Class II boats. Same requirement as Class I boats except the device shall be capable of producing a blast audible for a distance of at least one mile.

(iii) All boats shall carry an approved life preserver, ring buoy, or buoyant cushion in good and serviceable condition for each person on board. Such devices shall be properly secured and stowed so as to be readily accessible in emergency.

(iv) All boats having built-in or in-board motors shall carry approved fire extinguishers as follows:

(a) Class A and Class I boats. One hand operated and portable fire extinguisher. This may be a 1¼ gal. foam, 4 lb. carbon-dioxide, one quart carbon-tetrachloride or a 4 lb. dry chemical, or larger.

(b) Class II boats. One fixed carbon-dioxide system and two hand operated, portable extinguishers of an approved type, such as 2½ gal. foam, 15 gal. carbon-dioxide or 12 lb. dry chemical.

(v) All boats powered with in-board motors which use gasoline as fuel are subject to the following conditions:

(a) Carburetors shall be fitted with an approved device which has demonstrated its ability to arrest backfire.

(b) In decked over boats, two or more ventilators are required, with cowls or equivalent capable of removing gases from bilges in engine and fuel tank compartments. Bilges must be kept free of oil, gasoline and grease.

(c) Drip pans are required on all up-draft carburetors. These pans are to be equipped with a fine mesh wire screen cover to prevent the overflow from catching fire.

(d) The fuel tank filler pipe must be outside the cabin and cockpit, and so constructed that spillage of gasoline will not flow into the bilge. A vent of not less than ⅜ inch diameter is required from the fuel tank to the outside of the

hull and shall be independent of the filler pipe.

(vi) Galley and cabin stoves shall be of such type and installation as approved by the Underwriters Laboratories.

(a) Approved types of galley stoves are those which use coal, charcoal, wood, alcohol, fuel oil or kerosene as fuel. Stoves which use gasoline as fuel are prohibited.

(b) Where a galley or cabin stove is installed, it shall be firmly attached, insulated from the woodwork, and so located that it does not endanger flammable material.

(vii) General conditions.

(a) Fuel lines must be intact with no leaks and must have a shut-off valve installed near the fuel tank in a readily accessible location.

(b) Electrical wiring must be in good condition.

(c) All boats must carry a bailing bucket on board in addition to whatever bilge pumps or automatic bailing devices with which they may be equipped.

(d) All boats 26 feet or less in length shall be equipped with oars and oarlocks, or carry a sweep adequate to propel the boat in case of engine failure.

(6) *Special limits for small boats*. No boat 16 feet or less in length, whether equipped with motor or propelled by oars, shall be operated at a distance of more than ¼ mile from the shoreline of any lake.

(7) *Rules of the road*. The following rules of the road shall be observed:

(i) The operation of boats in such a manner as to endanger life or property is prohibited.

(ii) In narrow channels, boats shall be operated to the right of the middle of the channel.

(iii) When approaching or passing other water craft, speed shall be reduced so that the wake does not endanger the other craft.

(iv) Slow speed shall be maintained in docking and fishing areas so as not to endanger persons or other craft.

(v) Right-of-way shall be given larger craft.

(8) *Registration of trip*. The operator of each boat leaving for an extended trip, including trips of overnight duration, shall register in the book provided for that purpose at one of the following locations:

(i) Fishing Bridge Boat Dock.

(ii) Lake Ranger Station.

(iii) West Thumb Ranger Station.

(iv) Mary Bay registration box.

(v) Lewis Lake Campground registration box. This registration shall include the names of all persons in the boat, a statement of the proposed destination and intended time of return. Upon his return, the operator shall indicate in the registration book the time of his return. If, after an extended trip, a boat is removed from a particular Park water, or is docked at a point other than the place of departure for the trip, the operator shall report at once to the nearest registration point and record in the registration book there provided, the time of his return from the trip, or departure from that particular Park water.



(9) *Sanitation.* No bottles, cans, rubbish or refuse of any kind, including wastes from chemical toilets, shall be thrown from any boat into Park waters, or from docks along the shore, or otherwise placed in the waters of the Park. Water closets, drains, sinks, and other devices which discharge directly into the water, shall be sealed in such a manner as to prevent their use.

(10) *Limitation of boat loads.* No boat shall be operated on any waters of the Park with more than a safe capacity load of passengers or supplies.

(11) *Restricted landing areas.* The landing of boats on either of the islands designated as "Molly Islands" in Yellowstone Lake, or the disturbance in any manner of the birds inhabiting the same or nesting thereon, is prohibited, except upon written permission of the Superintendent.

(12) *Restricted waters.* The operation of any boat, canoe, raft, or other fishing craft on Park streams (as distinguished from lakes) is prohibited, except on

(i) The channel between Lewis Lake and Shoshone Lake.

(ii) The Yellowstone River from the outlet of Yellowstone Lake to a point 300 yards below Fishing Bridge.

This restriction shall not apply to craft operated for administrative purposes or in emergencies.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 8th day of April 1955.

[SEAL] EDMUND B. ROGERS,  
Superintendent,  
Yellowstone National Park.

[F. R. Doc. 55-3581; Filed, May 3, 1955; 8:46 a. m.]

PART 20—SPECIAL REGULATIONS

MAMMOTH CAVE NATIONAL PARK

Section 20.36 *Mammoth Cave National Park* is amended to read as follows:

§ 20.36 *Mammoth Cave National Park*—(a) *Fishing.* (1) Fishing with pole and line, rod and reel, and trot and throw lines is permitted all year.

(2) *Size limit:* There shall be no size limit. All fish caught shall be retained.

(3) *Creel limit:* The following creel limits shall apply:

Black bass.....	10
Rock bass or goggle-eye.....	15
Crappie.....	30
Jack salmon or walleye pike.....	10
Sauger or sand pike.....	10
Striped bass.....	15
Muskellunge.....	5
Northern pike.....	5

(4) *Use of seines:* Seines which do not exceed 6 feet in length and 4 feet in width or height, with mesh not larger than 1/4 inch may be used only in the following runs and creeks for procuring minnows and crawfish for bait, except that minnows and crawfish shall not be taken or caught for commercial purposes: Bylew, First, Second, Pine, Buffalo, Big Hollow, Ugly, Cub, Blowing Spring, Floating Mill Branch, Dry

Branch and Mill Branch. As used in this subparagraph, the term "minnows" means any fish less than 6 inches in length, except those species mentioned in this subparagraph.

(5) *Live bait.* Live bait, other than worms, shall not be used in Sloans Crossing, Green or Doyel Ponds.

(6) *Worms:* Worms or grubs may not be dug in the park.

(7) *Bows and arrows:* Use of bows and arrows for the purpose of catching fish is prohibited.

(b) *Speed.* (1) Except where otherwise indicated, speed of automobiles and other vehicles, except Government vehicles on official emergency trips, shall not exceed 35 miles per hour on gravel or dirt roads within the park.

(2) At all times vehicles shall be driven at appropriate reduced speeds when approaching and crossing intersections not protected by stop signs, when approaching and rounding curves, when approaching hill crests, when traveling on narrow and winding roads, and where special hazards exist with respect to pedestrians or other traffic, or by reason of weather, roadway or other conditions.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 8th day of April 1955.

[SEAL] PERRY E. BROWN,  
Superintendent,  
Mammoth Cave National Park.

[F. R. Doc. 55-3582; Filed, May 3, 1955; 8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 55-514; Rules Amdt. 1-74]

PART 1—PRACTICE AND PROCEDURE

APPLICATION FORMS FOR SUBSIDIARY COMMUNICATIONS AUTHORIZATIONS

1. At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955:

2. The Commission has under consideration its Report and Order issued in this proceeding on March 22, 1955 (FCC 55-340), establishing Subsidiary Communications Authorizations (SCA) to permit FM stations to engage in functional music operations and similar activities under certain specified conditions.

3. The new rules noted that an appropriate application form would be designated by the Commission which would be filed by those FM stations desiring to engage in operations pursuant to Subsidiary Communications authorizations. FCC Form 318 has been designated for such use. This form should be used by broadcasters applying for (1) the establishment of an SCA; (2) modification of an SCA; (3) renewal of an SCA; and (4) assignment or transfer of an SCA. The form has been approved by the Bureau of the Budget.

4. Appropriate changes have been made in Part 1 of the Commission's rules and regulations to reflect the new form.

5. Authority for the adoption of the amendment herein is contained in sections 4 (i), 303 (1) and 303 (b) of the Communications Act, as amended.

6. *It is ordered.* That effective May 2, 1955, FCC Form 318, "Request for Subsidiary Communications Authorization", be adopted.

7. *It is further ordered.* That effective May 2, 1955, § 1.309 of the Commission's rules is amended to read as follows:

§ 1.309 *Special forms.* (a) FCC Form 301-A, "Request for Modification of Broadcast Station Authorization (Remote Control)." For use by existing broadcast licensees or permittees applying for permit to operate a standard or FM broadcast station from a remote control point.

(b) FCC Form 318, "Request For Subsidiary Communications Authorizations." For use by existing FM broadcast licensees applying for permit to establish a SCA service, modification of SCA, renewal of SCA, and assignment and transfer of SCA.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: April 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3598; Filed, May 3, 1955; 8:49 a. m.]

[Docket No. 10832; FCC 55-515]

[Rules Amdts. 2-37, 3-41]

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

PART 3—RADIO BROADCAST SERVICES

ORDER STAYING EFFECTIVENESS OF NEW RULES

In the matter of Amendment of Parts 2 and 3 of the Commission's rules and regulations and the Standards of Good Engineering Practice Concerning FM Broadcast Stations to permit FM broadcast stations to engage in specified non-broadcast activities on a simplex and/or multiplex basis.

1. The Commission has before it for consideration the petition of WWDC, Inc., filed on April 22, 1955, requesting the Commission to (1) stay the effective date of the Commission's new rules promulgated in the above-entitled proceeding and which are scheduled to become effective on May 2, 1955, or (2) to waive the rules, pending consideration and decision on a petition for reconsideration and modification to be filed by petitioner in this proceeding. On April 26, 1955, Wm. Penn Broadcasting Company, Inc., licensee of Station WPEN-FM, Philadelphia, Pennsylvania, filed a petition supporting the above request of WWDC, Inc.

2. On March 22, 1955, the Commission issued a Report and Order (FCC 55-340) in the above-entitled proceeding amend-

ing its rules and regulations with respect to functional music operations of FM broadcast stations. The new rules are scheduled to become effective on May 2, 1955. By its Report and Order, the Commission amended its rules to permit FM broadcast stations to conduct functional music operations on a multiplex basis without limitation as to time, and to permit FM broadcast stations to engage in functional music operations on a simplex basis during all hours not devoted to the 36 hours per week (at least 5 hours per day) specified for regular FM broadcasting.

3. WWDC, Inc., licensee of Station WWDC-FM, Washington, D. C., filed the subject petition on April 22, 1955, advising that it will file a petition for reconsideration and modification of the Commission's new rules by May 2, 1955, and requesting the Commission (1) to stay the effectiveness of the new rules or (2) to waive them, pending consideration and decision on its forthcoming petition for reconsideration and modification. WWDC, Inc. is presently engaged in widespread functional music activities. In this connection, petitioner notes that in order to meet the requirements of the Commission's new rules, it must either multiplex the programs of Station WWDC-FM or, because of its present commitments with subscribers for background music and drugcasting services, must reduce the number of hours of its functional music operations. WWDC, Inc. submits that multiplexing is not possible at this time because of the unavailability of equipment. And with respect to simplexing, petitioner states that to operate in such manner, it would have to eliminate 27 hours of functional music operations from its current weekly schedule to meet the 36-hour minimum weekly requirement for regular broadcast operation. It is urged that elimination of these 27 hours will increase the station's operating losses and might thereby force the station to leave the air or to change its format to a mere duplication of the programs of its AM station. WWDC, Inc. submits, therefore, that failure to stay the effectiveness of the new rules or to waive them pending consideration of its petition for reconsideration and modification would cause irreparable injury.

4. Wm. Penn Broadcasting Company, Inc. states that it is presently engaging in a functional music operation. Station WPEN-FM operates on a full schedule, with background music furnished various business establishments throughout the entire day. Wm. Penn Broadcasting Company states that it has been unable to secure any firm quotations or firm delivery dates for multiplexing equipment and therefore would be unable to continue its functional music operations on a multiplex basis. And it is stated that it will be unable to continue its present operations on a simplex basis without interrupting the service it is now furnishing subscribers. Wm. Penn therefore urges that the Commission's new rules would cause irreparable damage to WPEN-FM and may neces-

sitate the discontinuance of its background music service. Petitioner states that it is also preparing a petition for reconsideration, and requests that the Commission stay the effectiveness of its action pending consideration and decision upon its petition for reconsideration.

5. The Commission is aware that certain FM broadcasters are presently engaging in functional music operations and have various contractual arrangements with respect to such operations. The Commission believes, therefore, that the public interest would be served by staying the effectiveness of its new functional music rules pending a final determination in this proceeding. We have, therefore, decided to stay the effectiveness of our new rules for a period of 30 days.

6. In view of the foregoing: *It is ordered*, That the effective date of the amendments to the Commission's rules and regulations issued pursuant to its Report and Order (FCC 55-340) in the above-entitled proceeding on March 22, 1955, and which are presently scheduled to become effective on May 2, 1955, is hereby extended to June 1, 1955.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, 1084; 47 U. S. C. 301, 303, 307)

Adopted: April 27, 1955.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3599; Filed, May 3, 1955;  
8:49 a. m.]

[Docket No. 11301; FCC 55-516]

[Rules Amdt. 3-40]

#### PART 3—RADIO BROADCAST SERVICES

##### TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS

1. The Commission has before it for consideration its notice of proposed rule making and order to show cause issued in this proceeding on March 10, 1955 (FCC 55-295), and published in the FEDERAL REGISTER on March 16, 1955 (20 F. R. 1587). The notice advised that Springfield Television Broadcasting Corporation, licensee of television Station WWLP on Channel 61 in Springfield, Massachusetts, had filed a petition requesting that the Commission's table of assignments contained in § 3.606 of the rules and regulations be amended so as to substitute Channel 22 for Channel 61 in Springfield. Springfield Television was also ordered to show cause why its outstanding authorization should not be modified to specify operation on Channel 22 in lieu of Channel 61. Petitioner suggested that the above requested change could be accomplished by making the following changes in the table of assignments:

City	Channel No.	
	Delete	Add
Boston, Mass. ....	50-	38-
Easthampton, Mass. ....		61
Northampton, Mass. ....	36+	
Springfield-Holyoke, Mass. ....	61	22
Providence, R. I. ....	*22	*30+

2. Comments in support of the proposal and Show Cause Order were filed by petitioner. Oppositions were filed by the Board of Education of the State of Rhode Island, Television and Radio Broadcasting Corporation, and The Hampden-Hampshire Corporation. An opposition to the comments of the Board of Education of Rhode Island was filed by The Eastern Connecticut Broadcasting Company.

3. In support of its request, petitioner urges that it has operated Station WWLP since March 17, 1955; that it has found that the front ends of receivers now on the market are less sensitive on the higher UHF channels than on the lower; that as a result of this condition it is at a competitive disadvantage with other UHF stations in the Connecticut Valley area which are on the lower UHF channels; and that the proposal would conform to the requirements of the rules and would not affect any existing station. With respect to the change in Providence from Channel 22 to Channel 36, petitioner states that these channels are equivalent and that the pendency of an application for Channel 22 at Providence by the Board of Education (BPET-41) should not preclude its requested changes.

4. The Board of Education of the State of Rhode Island opposes the request in so far as it would substitute Channel 36 for Channel 22 in Providence. The Board points out that it is an applicant for Channel 22 for a non-commercial educational station; that it is vitally interested in the utilization of Channel 22 for educational purposes; that it has the support of the general public and the educational institutions for its plans to construct and operate such a station; and that the service which could be rendered on Channel 22 would be greater than that on Channel 36. The Board suggests as a counter-proposal that Channel 22 be retained at Providence and that Channel 42 be assigned to Springfield instead of Channel 61. This proposal would require that Channel 57 be deleted from Norwich, Connecticut. In reply to this opposition, petitioner submits that substantial doubt exists as to whether the State of Rhode Island would authorize the funds necessary for the construction and operation of an educational station in Providence; that Channel 36 proposed to be assigned to Providence is substantially equivalent to Channel 22; and that the pendency of an application with technical and financial deficiencies which was filed some 18 months ago should not prevent WWLP from shifting to a lower UHF channel. With respect to the counter-proposal, petitioner submits that it has little merit since it would delete the sole commercial

assignment from Norwich, a community of 23,429 persons and one which has an authorized educational television station and its own radio station.

5. The Eastern Connecticut Broadcasting Company also opposes the counter-proposal of the Board of Education since it would delete Channel 57, the sole commercial assignment in Norwich. Eastern urges that Norwich is the largest city in Eastern Connecticut with a 1954 population of 37,721 persons; that it is an important industrial, agricultural, educational and trading area; that it is the seat of many governmental activities of New London County with a 1954 population of over 162,000 persons; and that Eastern is interested in bringing a local television service to the area as soon as it is commercially feasible.

6. Television and Radio Broadcasting Corporation opposes the instant request in so far as it substitutes Channel 38 for Channel 50 in Boston. This party states that it has purchased a site near Quincy, Massachusetts, for a station on Channel 50; and the use of Channel 38 would preclude the utilization of this site. It is suggested that it could use Channel 38 at the proposed site if Channel 25 is substituted for Channel 52 in Barnstable, Massachusetts. In reply to this opposition, Springfield urges that Channel 25 can be substituted for Channel 52 in Barnstable in compliance with the Rules and that this would be in the public interest since it would permit the assignment of Channel 22 to Springfield.

7. The Hampden-Hampshire Corporation, permittee of Station WHYN-TV on Channel 55 at Springfield, opposes the instant proposal since it would remove Channel 36 from Northampton and would substitute Channel 61 in Easthampton. WHYN-TV points out that on March 31, 1955, it filed an application to change from Channel 55 to Channel 36 in Easthampton, including a request for a waiver of the studio rule in order that it may continue to use its present studio location in Springfield. WHYN-TV states that the same disadvantages apply to it with respect to operation on a high UHF channel as apply to petitioner.

8. On April 6, 1955, the Commission adopted a Report and Order (FCC 55-433) in which it finalized a show cause order to WKNY-TV presently operating on Channel 61 at Kingston, New York, modifying its authorization so as to permit this station to operate on Channel 21 at Foughkeepsie, New York, at its present transmitter site. The application of Hampden-Hampshire for Channel 36 at Northampton (BMPCT-3009) conflicts with the above change for WKNY-TV in that the transmitters are only 73 miles apart instead of the required 75-mile spacing for assignments 15 channels removed (picture image).

9. In reply to the Hampden-Hampshire opposition and counter-proposal, Springfield submits that the use of Channel 36 by WHYN-TV at its present site is precluded in view of the substandard spacing of 72.6 miles between WHYN-TV and WKNY-TV on Channel 21 at Kingston, the latter assignment having been finalized on April 6, 1955. Petitioner

urges that WHYN-TV was afforded an opportunity to comment with respect to the Kingston proposal but failed to do so. Petitioner further points out that it is possible to assign a lower UHF channel to both WWLP and WHYN-TV; it suggests that Channel 40 could be used by the latter at its present site if Channel 57 is substituted for Channel 40 in Montpelier, Vermont, and that this proposal would not affect any existing station. This plan, however, does conflict with Plans I and II of Channel 16 of Rhode Island in the Hartford de-intermixture proceeding (See notice of proposed rule making and order to show cause, FCC 55-409). Springfield argues, however, that both Plans I and II are defective, the former for the reason stated in the Notice of Proposed Rule Making in Footnote 1 and the latter since Channel 47 cannot be assigned to Norwich since Channel 46 is assigned to Fall River, Massachusetts, at a distance of less than the required 55 miles adjacent spacing. Springfield urges that its original proposal and the proposal to assign Channel 40 to Springfield would permit WWLP, WHYN-TV, and WKNY-TV to shift to lower UHF channels, whereas the Hampden-Hampshire proposal to retain Channel 36 at Northampton would preclude the change for both Kingston and Springfield.

10. The Commission is presented with conflicting requests by the two operating UHF television stations in Springfield for lower channels. The first request by WWLP seeks to substitute Channel 22 for Channel 61 in Springfield by making changes in three other communities. The applicant for an educational station on Channel 22 in Providence opposes the WWLP request in so far as it would substitute Channel 36 for Channel 22 as the educational frequency in Providence. And a proposed applicant in Boston opposes the WWLP petition in so far as it would substitute Channel 38 for Channel 50 in Boston since its proposed site could not be utilized on Channel 38. The Commission is of the view, however, that the changes required in Providence and Boston in order to achieve a lower UHF channel in Springfield are warranted. In the first place, the change in Providence from Channel 22 to Channel 36 is not substantial, whereas the change in Springfield from Channel 61 to Channel 22 represents a significant improvement. Furthermore, the change in Springfield would assist an operating UHF station to afford a better service to the public at this time; while the applicant for the educational station in Providence does not appear ready to proceed immediately with the establishment of a television station. Further, the objection of the Boston party may be disposed of by making the change it proposes at Barnstable—switching from Channel 52 to Channel 25.

11. The request of the second UHF station in Springfield, WHYN-TV, conflicts with the above proposal, since it would retain Channel 36 in Northampton while the WWLP proposal would delete this assignment from that community. In addition, the application of

WHYN-TV for Channel 36 as well as its rule-making proposal would preclude the change in the Kingston station which the Commission finalized in its Report and Order of April 6, 1955. WWLP has suggested a further change in the table which would provide a lower UHF assignment for the second Springfield station, i. e., that Channel 40 be assigned to Springfield in place of Channel 55 by changing the Montpelier assignment from Channel 40 to Channel 57. In light of this possibility, the Commission believes that the public interest would best be served by finalizing the changes required to substitute Channel 22 for Channel 61 in Springfield at this time and to institute further rule-making proceedings looking toward the assignment of Channel 40 in Springfield to replace Channel 55. Accordingly, we are now finalizing the amendments in the table proposed by Springfield Television Broadcasting Corporation and, at the same time, we are issuing a notice of further proposed rule making with respect to substituting Channel 40 in Springfield to replace Channel 55.

12. The action we are taking herein, substituting Channel 22 for Channel 61 in Springfield, will permit both the Kingston station, WKNY-TV, and one of the Springfield stations, WWLP, to improve their facilities and thus to render a more satisfactory and effective service to the public at the present time. At the same time, we are instituting further rule-making proceedings designed to aid the second operating Springfield station, WHYN-TV, in order that it may also render a more effective service. In taking this action, we are not unmindful of the conflict between the proposal to assign Channel 40 to Springfield and alternative Plans I and II proposed by Channel 16 of Rhode Island in the Hartford de-intermixture rule-making proceeding (Docket No. 11336). However, it is noted that these two Plans as proposed are defective since they do not meet the Commission's minimum mileage separations and, in addition, the petitioner in that case has advanced other alternative methods for accomplishing its stated objective. We do not believe, therefore, that we should withhold the institution of further rule-making proceedings looking toward the assignment of Channel 40 in Springfield.

13. Authority for the adoption of the action herein is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r), 307 (b), and 316 of the Communications Act of 1934, as amended.

14. In view of the foregoing: *It is ordered*, That, effective June 2, 1955, the outstanding authorization of Station WWLP is modified to specify operation on Channel 22 in Springfield, Massachusetts, instead of Channel 61, and an appropriate authorization will be issued to Springfield Television Broadcasting Corporation. Data with respect to the operation of WWLP on Channel 22 in Springfield should be submitted to the Commission.

15. *It is further ordered*, That, effective June 2, 1955, the table of assignments contained in § 3.606, rules gov-

erning television broadcast stations is amended, in so far as the cities named are concerned, as follows:

City:	Channel No.
1. Barnstable, Mass. ....	25+.
Boston, Mass. ....	*2+, 4-, 5-, 7+, 38, 44+, 56.
Easthampton, Mass. ....	61.
Springfield-Holyoke, Mass. ....	22, 55.
Providence, R. I. ....	10+, 12+, 16, *36+.
2. Delete Northampton, Mass., from the table.	

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, 1084; 47 U. S. C. 301, 303, 307)

Adopted: April 27, 1955.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3600; Filed, May 3, 1955;  
8:49 a. m.]

[Docket No. 11223; FCC 55-503]

[Rules Amdts. 7-14, 8-20]

PART 7—STATIONS ON LAND IN THE  
MARITIME SERVICES

PART 8—STATIONS ON SHIPBOARD IN THE  
MARITIME SERVICES

AUTHORIZED CLASSES OF EMISSION

1. The Commission released a notice of proposed rule making on November 26, 1954 in the above-entitled matter proposing to prohibit the use of modulated emission in the coast telegraph band 415 to 490 kc except for brief testing or when transmitting distress, urgency and safety signals or any communications preceded by one of these signals and to prohibit coast and ship telegraph stations (except on survival craft) from using A2, A2a, and A2b classes of emission on the frequencies within the band 2200 to 17000 kc.

2. In accordance with the requirements of section 4 (a) of the Administrative Procedure Act, notice of proposed rule making in this matter, which made provision for the submission of written comments by interested parties, was duly published in the FEDERAL REGISTER on December 2, 1954 (19 F. R. 7973), and the period for the filing of comments has now expired.

3. Two parties filed comments directed to the matter involved in this proposed rule making proceeding. No objections were expressed to the Commission's proposal as such but comments were submitted regarding the scope and timing of the proposal.

4. RMCA urged the Commission to take steps to secure similar action by foreign administrations and by United States government agencies with respect to stations under their jurisdiction. With respect to United States government stations, RMCA cited reports of interference to the reception by ships of the RMCA coast station KPH at Bolinas, California, operating on 8618 kc caused

by the transmissions of United States Navy station NHB, Kodiak, Alaska, operating on 8622 kc when using facsimile emission.

5. The American Merchant Marine Institute, Inc. (AMMI), urged that, as a matter of timing, the contemplated action should be deferred:

(1) With respect to the 415-490 kc band until action can be taken as a coordinated Region 2 project, or at least coordinated with Canada and the administrations of the countries within interference range immediately to the south; and

(2) With respect to the 2200-17000 kc band until the proposed action can be taken simultaneously with all other administrations on a world-wide basis.

6. In regard to the 415-490 kc band, information available to the Commission indicates that Canadian authorities are applying similar restrictions to the operation of radio stations at Canadian coast locations. The Commission is initiating appropriate steps which have as their objective the taking of similar action by other neighboring administrations.

7. In regard to the high frequency bands between 2200 and 17000 kc, the Commission is making strong representations to appropriate authorities in foreign countries requesting the cessation of the use of A2 emission by radio stations aboard foreign ships in order to ensure that United States ships may conduct communications on an equal basis with foreign vessels. Action taken domestically and internationally in this matter is based upon a treaty requirement in force among the majority of nations of the world relating to the prohibition of A2 emission in the high frequency maritime mobile bands. Number 752 of the Radio Regulations, Atlantic City, 1947, provides that ship telegraph stations between 4000 and 23000 kc must employ only class A1 emission. Number 75 of the Agreement of the Extraordinary Administrative Radio Conference (Geneva, 1951), provides that coast telegraph stations in the maritime mobile exclusive bands between 4000 and 27500 kc shall not use class A2 emission. Under existing Commission rules coast and ship telegraph stations are not authorized to use class A2 emission on frequencies between 17000 and 25000 kc. The proposal of the Commission is designed to complete the domestic implementation of these international provisions with respect to the high frequency bands below 17000 kc.

8. So far as United States government stations are concerned, it is the Commission's understanding that United States government coast and ship stations are presently observing the restriction regarding the use of A2 emission on high frequencies and can be expected to follow commercial practices in the matter of use of A2 emission in the medium frequency band. With respect to the interference case cited by RMCA, it is pointed out that the prohibition of A2 emission in the high frequency bands does not preclude the use of other types of emission for such purposes as radio printers and other automatic telegraph transmitting systems. Information pertaining to the specific case cited by RMCA

shows that the interference occurred because of the order of frequency chosen to carry on the communication for the time and location of the ships involved or insufficient shipboard receiver selectivity.

9. In regard to adjacent channel interference, it should be pointed out that the efficient use of Atlantic City frequencies in the maritime bands will demand a higher order of selectivity in shipboard receiving equipment than that obtaining with receivers designed for use under the old Cairo table of frequency allocations. Improved receivers are available and practicable. It is the opinion of the Commission that industry must look forward to the general use of improved receiving equipment which will be capable of providing the necessary degree of selectivity.

10. In view of the foregoing considerations, the Commission is making final its proposal in this docket by adopting the amendments to Parts 7 and 8 of its rules and regulations as set forth below.

11. *It is ordered.* That, pursuant to section 303 (e) (f) and (r) of the Communications Act of 1934, as amended, effective June 6, 1955, Parts 7 and 8 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082 as amended; 47 U. S. C. 303)

Adopted: April 27, 1955.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

A. Part 7 is amended as follows:

1. § 7.132 (a) (1) is amended to read:

(1) Coast stations using telegraphy:

14 to 160 kc.....	A1, and for brief testing A0.
160 to 490 kc....	A1, and for brief testing A0; A2, <sup>2</sup> A2a, <sup>2</sup> A2b, <sup>2</sup> for brief testing and dis- tress, urgency and safety signals or any commu- nication preceded by one of these signals.
490 to 515 kc....	A1, A2, <sup>2</sup> A2a, <sup>2</sup> A2b, <sup>2</sup> and for brief testing A0.
2035 to 25000 kc..	A1, and for brief testing A0.

2. Footnote 2 in § 7.132 (a) is amended to read as follows:

<sup>2</sup>Permissible by keying the modulated emission. Keying the modulating audio frequency only, without interruption of the carrier wave, is not permissible. The use of any audio frequency pulse device such as a so-called "chopper" is prohibited.

B. Part 8 is amended as follows:

1. § 8.132 (a) (1) is amended to read:

(1) Ship stations using telegraphy:

100 to 160 kc....	A1 and for brief testing A0.
160 to 515 kc....	A1, A2, <sup>2</sup> A2a, <sup>2</sup> A2b, <sup>2</sup> and for brief testing A0.
2065 to 25000 kc..	A1, and for brief testing A0, except for stations on board survival craft which may use in addi- tion, class A2 emission. <sup>2</sup>

2. Footnote 2 in § 8.132 (a) is amended to read as follows:

“Permissible by keying the modulated emission. Keying the modulating audio frequency only, without interruption of the carrier wave is not permissible. The use of any audio frequency pulse device such as a so-called “chopper” is prohibited except for stations of survival craft.

[F. R. Doc. 55-3601; Filed, May 3, 1955; 8:49 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF THE TREASURY

Internal Revenue Service

[ 26 CFR (1954) Part 31 ]

EMPLOYMENT TAXES; APPLICABLE ON AND  
AFTER JANUARY 1, 1955

AMENDMENT OF NOTICE OF PROPOSED RULE  
MAKING

The proposed regulations under sections 3401, (a), 6001, and 6051 of the Internal Revenue Code of 1954 were published with a notice of proposed rule making in the FEDERAL REGISTER for Wednesday, March 30, 1955. This notice provided that consideration would be given to any data, views, or arguments pertaining thereto which were submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D. C., within the period of 30 days from the date of publication in the FEDERAL REGISTER.

Notice is hereby given that the 30-day period previously allowed is extended by an additional 17 days. Therefore, consideration will be given to any data, views or arguments pertaining to these proposed regulations which are submitted by Monday, May 16, 1955.

[SEAL] T. COLEMAN ANDREWS,  
Commissioner of Internal Revenue.

[F. R. Doc. 55-3623; Filed, May 2, 1955; 12:32 p. m.]

### DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[ 7 CFR Ch. IX ]

[Docket No. AO-275]

HANDLING OF MILK IN SPOKANE,  
WASHINGTON, MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKET-  
ING AGREEMENT AND ORDER

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), notice is hereby given of a public hearing to be held in the Federal Court Room, Post Office Building, Spokane, Washington, begin-

ning at 10:00 a. m., P. s. t., May 24, 1955.

*Subjects and issues involved in the hearing.* The hearing is for the purpose of receiving evidence as to the economic and marketing conditions relating to the handling of milk for the Spokane, Washington, marketing area and to the issuance of a marketing agreement and order to regulate the handling of milk in such marketing area. The proposed marketing agreement and order provisions set forth below have not received the approval of the Secretary of Agriculture. At the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposals and any appropriate modifications thereof.

The hearing on the proposed marketing agreement and order proposals is to determine whether (1) the handling of milk in the area proposed to be regulated is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects interstate or foreign commerce, (2) the issuance of one or more marketing agreements or orders regulating the handling of milk in the proposed area is justified, and (3) the provisions specified in the proposals or some other provisions (including the possible adoption of provisions for the payment to all producers and associations of producers delivering milk to the same handler of uniform prices for all milk delivered by them, commonly known as “individual-handler pools”) appropriate to the terms of the Agricultural Marketing Agreement Act, as amended, will best tend to effectuate the declared policy of such act.

Various parties submitted proposals relative to the scope of the marketing area to be covered in the event regulation is made effective. Preliminary investigation of the marketing situation including examination of available information relative to the supply of milk and the distribution of milk throughout the areas involved in the proposals indicates that the intent of the act would best be effectuated by limiting consideration at this time to a marketing agreement and order in which the marketing area would be defined as not greater than all the territory included in proposals 1 (section 6), 2, and 3 below. However, if evidence adduced at the hearing indicates that it would not be feasible to promulgate an order(s) for this more limited area, or that additional territory should properly be included under any proposed order(s), the hearing will be reopened for the purpose of giving further consideration to appropriate extensions of the marketing area as proposed herein.

*Proposal No. 1.* The following marketing agreement and order has been proposed by the Inland Empire Dairy Association et al.:

#### DEFINITIONS

**SECTION 1. Act.** “Act” means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

**Sec. 2. Secretary.** “Secretary” means the Secretary of Agriculture, or other officer or employee of the United States

authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

**SEC. 3. Department.** “Department” means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in this subpart.

**SEC. 4. Person.** “Person” means any individual, partnership, corporation, association, or any other business unit.

**SEC. 5. Cooperative association.** “Cooperative association” means any cooperative marketing association of producers, duly organized as such under the laws of any State, which includes members who are producers as defined in section 12 and which the Secretary determines, after application by the association:

(a) To be qualified under the standards set forth in the act of Congress of February 18, 1922, as amended, known as the “Capper-Volstead Act”;

(b) To have its entire organization and all of its activities under the control of its members; and

(c) To be currently engaged in making collective sales of or marketing milk or its products for its members.

**SEC. 6. Inland Empire Marketing Area.**

“Inland Empire Marketing Area” (hereinafter called “the marketing area”) means all that territory in the states of Washington and Idaho within Districts No. 1 and 2 defined below. As used in this section “territory” shall include all municipal corporations, Federal military reservations, facilities, and installations and state institutions lying wholly or partly within the above described area. “District No. 1” of the marketing area shall include the following territories in Idaho: that portion of Bonner County lying south of Township 60 and west of Range 2 East Boise Meridian, all of Kootenai County except that portion lying east of Range 3 West Boise Meridian and south of Township 53, and that portion of Latah County which is Townships 39 and 40, Range 5 West Boise Meridian, together with the following territories in the State of Washington: Spokane County, that portion of Pend Oreille County lying south of Township 35, that portion of Stevens County lying south of Township 37, that portion of Ferry County lying south of Township 30, those portions of Okanogan County and Douglas County lying south of Township 30 and east of Range 28 East Willamette Meridian, that portion of Grant County lying north of Township 26, all of Lincoln County except that portion lying south of Township 25 and west of Range 34 East Willamette Meridian, all of Adams County except that portion lying west of Range 34 East Willamette Meridian, and all of Whitman County except that portion lying west of Range 44 East Willamette Meridian and south of Township 16 and also except that portion lying south of Township 14. “District No. 2” of the marketing area shall include the following territories in the State of Washington: all of Grant County except that portion lying north of Township 26, that portion of Lincoln County lying south of Township 25 and west of Range

34 East Willamette Meridian and that portion of Adams County lying west of Range 34 East Willamette Meridian and that portion of Chelan and Douglas Counties lying south of Township 23 and east of Range 19 East Willamette Meridian.

**SEC. 7. Plant.** "Plant" means the land, buildings, surroundings, facilities and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment which is maintained and operated primarily for the receiving, handling and processing of milk or milk products.

**SEC. 8. Pool plant.** "Pool plant" means any plant which is approved by any health authority having jurisdiction in the marketing area as a plant for the receiving of milk qualified for consumption as fluid milk within the marketing area and from which Class I milk pursuant to section 41 (a) (1) and (2) is either distributed or forwarded to a plant from which such milk is so distributed; *Provided*, That any plant which otherwise meets the requirements of this section may withdraw from pool plant status for any month in the January-September period, if the operator of the plant files with the market administrator prior to the first day of such month a written request for such withdrawal: *And provided further*, That no plant shall be a pool plant unless the percentage of either butterfat or skim milk in milk so qualified which is received at the plant from dairy farmers and moved in fluid form as milk to a fluid milk plant, or disposed of within the marketing area as Class I milk pursuant to section 41 (a) (1) or (2) is less than:

(a) 50 percent in the current month during the period October through December; or

(b) 20 percent in the current month during the period January through September, except that if the percentage was more than 50 percent for the entire period October through December no percentage shall be required for such month of January through September immediately following.

**SEC. 9. Non-pool plant.** "Non-pool plant" means any plant other than a pool plant.

**SEC. 10. Dairy farmer.** "Dairy farmer" means any person who is engaged in the production of milk.

**SEC. 11. Producer.** "Producer" means any dairy farmer who produces milk of dairy cows under a dairy farm permit or rating issued by an appropriate health authority having jurisdiction in the marketing area, for the production of milk qualified for disposition to consumers in fluid form within the marketing area.

**SEC. 12. Producer milk.** "Producer milk" or "milk received from producers" means milk qualified as described in section 11 and either received directly from a farm at a pool plant or caused to be diverted by a handler for his account from such plant to a non-pool plant.

**SEC. 13. Other source milk.** "Other source milk" means all skim milk and

butterfat (including other order milk defined in section 14) other than (a) producer milk, (b) milk and milk products in any of the forms specified in section 41 (a) (1) and (2) received from pool plants.

**SEC. 14. Other order milk.** "Other order milk" means all skim milk and butterfat received in any form by a handler, the handling of which the Secretary determines to be subject to the pricing and payment provisions of any other Federal milk marketing order issued pursuant to the Act for any other milk marketing area.

**SEC. 15. Handler.** "Handler" means:

(a) Any person engaged in the handling of milk in his capacity as the operator of a pool plant or any other plant from which milk in any of the forms specified in section 41 (a) is disposed of to any place or establishment within the marketing area other than a plant, and

(b) Any cooperative association, which is not a handler pursuant to paragraph (a) of this section, with respect to producer milk caused to be diverted for the account of such cooperative association from a pool plant to a non-pool plant.

**SEC. 16. Producer-handler.** "Producer-handler" means any person who is both a dairy farmer and a handler, but who receives no milk from other dairy farmers: *Provided*, That such person provides proof satisfactory to the market administrator that (a) the maintenance, care and management of all the dairy animals and other resources necessary to produce the entire amount of milk handled is the personal enterprise of and at the personal risk of such person in his capacity as a dairy farmer, and (b) the operation of a pool plant is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

**SEC. 17. Base.** "Base" means a quantity of milk, expressed in pounds per day or per month, computed pursuant to section 60 (a) and (b) respectively.

**SEC. 18. Base milk.** "Base milk" means milk delivered by a producer during the month which is not in excess of (a) his daily base computed pursuant to section 60 (a) multiplied by the number of days of delivery in such month, or (b) his base computed pursuant to section 60 (b): *Provided*, That with respect to any producer on "every-other-day" delivery to a pool plant the days of non-delivery shall be considered as days of delivery for the purposes of this section and of section 60 (a).

**SEC. 19. Excess milk.** "Excess milk" means milk delivered by a producer in excess of base milk.

#### MARKET ADMINISTRATOR

**SEC. 20. Designation.** The agency for the administration of this subpart shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be designated by, and shall be subject to removal at the discretion of the Secretary.

**SEC. 21. Powers.** The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

**SEC. 22. Duties.** The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of funds provided by section 88 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under section 87) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this subpart, and upon request by the Secretary surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(g) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends;

(h) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not:

(1) Made reports pursuant to sections 30 to 32, inclusive; or

(2) Made one or more of the payments pursuant to sections 80 to 88, inclusive.

(i) On or before the 10th day after the end of each month, report to each cooperative association (or its duly designated agent) which so requests the class utilization of milk caused to be delivered by such cooperative association directly from farms of producers

who are members of such cooperative association to each handler to whom the cooperative association sells milk. For the purpose of this report, the milk caused to be so delivered by such a cooperative association shall be prorated to each class in the proportion that the total receipts of producer milk by such handler were used in each class;

(j) On or before the 10th day after the end of each month, notify;

(1) Each handler whose total value of milk is computed pursuant to section 70 (a) of:

(i) The amounts and values of his producer milk in each class and the totals of such amounts and values;

(ii) The amount of any charge made pursuant to section 70 (a) (4);

(iii) The uniform prices for base milk and excess milk;

(iv) The totals of the amounts computed in the manner provided by section 80 (a);

(v) The amount due such handler from the producer-settlement fund or the amount to be paid by such handler to the producer-settlement fund, as the case may be; and

(vi) The totals of the amounts required to be paid by such handler pursuant to sections 87 and 88.

(2) Each handler whose total value of milk is computed pursuant to section 70 (b) of the pounds of other source milk on which payment is required to be made and the amount due the producer-settlement fund from such handler.

(k) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate the prices determined for each month as follows:

(1) On or before the 6th day of each month the minimum price for Class I milk pursuant to section 51 (a) and the Class I butterfat differential pursuant to section 52 (a), both for the current month; and the minimum price for Class II milk pursuant to section 51 (b) and the Class II butterfat differential pursuant to section 52 (b), both for the current month; and

(2) On or before the 10th day of each month, the uniform price(s) computed pursuant to section 71 and the butterfat differential(s) computed pursuant to section 82, both applicable to producer milk received during the preceding month; and

(1) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

#### REPORTS, RECORDS AND FACILITIES

**Sec. 30. Monthly reports of receipts and utilization.** On or before the 5th day of each month and in the detail and on forms prescribed by the market administrator, each person who is a handler pursuant to section 15 (a) shall submit to the market administrator a separate report for each of such handler's pool plants and plants where milk or milk products subject to payments required under section 70 (b) were handled, and each cooperative association which is a handler pursuant to section 15 (b) shall submit to the market administrator a report with respect to milk

diverted on its account, containing the following information for the preceding month.

(a) The quantities of skim milk and butterfat contained in milk received from producers;

(b) The quantities of skim milk and butterfat contained in milk and milk products received from other handlers;

(c) The quantities of skim milk and butterfat contained in other source and other order milk received (except manufactured Class II milk products (1) disposed of in the form in which received without further processing by the handler, or (2) used to produce other Class II milk products).

(d) The utilization of all skim milk and butterfat required to be reported pursuant to this section, including the pounds of skim milk and butterfat on hand at the beginning and end of each month as milk and milk products;

(e) The aggregate quantities of base milk and excess milk received; and

(f) Such other information with respect to such receipts and utilization as the market administrator may prescribe.

**Sec. 31. Payroll reports.** On or before the 17th day of each month, each handler shall submit to the market administrator his producer payroll for deliveries of the preceding month which shall show:

(a) The total pounds of base milk and the total pounds of excess milk received from each producer, the pounds of butterfat contained in such milk, and the number of days on which milk was delivered by such producer in such month;

(b) The amount of payment to each producer and cooperative association; and

(c) The nature and amount of any deductions or charges involved in such payments.

**Sec. 32. Other reports.** At such times and in such manner as the market administrator may prescribe each handler shall report to the market administrator such information in addition to that required under section 30 as may be requested by the market administrator with respect to milk and milk products handled by him.

**Sec. 33. Records and facilities.** Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and summaries thereof and such facilities as are necessary for the market administrator to verify or to establish the correct data with respect to the information required to be reported pursuant to sections 30, 31, and 32 and to payments required to be made pursuant to sections 80 through 88.

**Sec. 34. Retention of records.** All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided*, That if, within such three-year period, the market administrator notifies the handler in writing that the reten-

tion of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8 (c) (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

#### Sec. 35. Handler report to producers.

(a) In making payments to producers pursuant to section 80, each handler, on or before the 16th day of each month, shall furnish each producer with a supporting statement in such form that it may be retained by the producer, which shall show for the preceding month (1) the identification of the handler and the producer; (2) the total pounds of milk delivered by the producer and the average butterfat test thereof, the pounds of base and excess milk, and the pounds per shipment if such information is not furnished to the producer each day of delivery; (3) the minimum rate(s) at which payment to the producer is required under the provisions of section 80; (4) the rate per hundredweight and amount of any premiums or payments above the minimum prices provided by the order, together with a description of each such premium; (5) the amount or rate per hundredweight of each deduction claimed by the handler, together with a description of the respective deductions; and (6) the net amount of payment to the producer.

(b) In making payment to a cooperative association in aggregate each handler upon request shall furnish to the cooperative association with respect to each producer for whom such payment is made, any or all of the above information specified in paragraph (a) of this section.

#### CLASSIFICATION

**Sec. 40. Skim milk and butterfat to be classified.** All skim milk and butterfat received within the month by a handler which is required to be reported pursuant to section 30 shall be classified by the market administrator pursuant to the provisions of sections 41 through 45, inclusive.

**Sec. 41. Classes of utilization.** Subject to the conditions set forth in sections 42, 43 and 44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat (1) disposed of in fluid or frozen form as milk, skim milk (including fortified skim milk), skim milk drinks, buttermilk, flavored milk, flavored milk drinks, and cream (sweet or sour), and used in the production of concentrated milk, flavored milk and flavored milk drinks not sterilized (but not including (i) those products commonly known as evaporated milk, condensed milk, and condensed skim milk; (ii) flavored milk or flavored milk drink in hermetically sealed containers; and

(iii) any item named in this subparagraph disposed of pursuant to paragraph (b) (3) of this section), (2) disposed of as any fluid mixture containing cream and milk or skim milk (but not including ice cream and other frozen dessert mixes disposed of to a commercial processor, any mixture disposed of in containers or dispensers under pressure for the purpose of dispensing a whipped or aerated product, evaporated or condensed products, egg-nog and yogurt), (3) contained in monthly inventory variations (4) shrinkage of producer milk in excess of that pursuant to paragraph (b) (4) of this section and shrinkage allocated to receipts from other handlers pursuant to section 42 (b), and (5) not specifically accounted for under paragraph (b) of this section.

(b) Class II milk shall be all skim milk and butterfat (1) used to produce any product other than those included under paragraphs (a) (1), (2) and (c) of this section, (2) disposed of for live-stock feed or dumped as skim milk and accurate written records thereof verified under oath by such witnesses as the market administrator may prescribe are submitted to the market administrator before the 6th of the next following month (3) disposed of in bulk in any of the forms specified in paragraph (a) (1) of this section to bakeries, soup companies and candy manufacturing establishments in their capacity as such and to non-pool plants subject to the conditions of section 44 (c) (2), (4) in actual shrinkage of producer milk computed pursuant to section 42 but not in excess of 2 percent of the quantities of skim milk and butterfat, respectively, in producer milk and (5) in actual shrinkage of other source milk computed pursuant to section 42.

(c) Class II A milk shall be all skim milk and butterfat used to produce ice cream, ice cream mix and cottage cheese (and shall be included with Class II for all purposes of this order except as expressly otherwise stated).

**Sec. 42. Shrinkage.** The market administrator shall determine the shrinkage of skim milk and butterfat, respectively, in producer milk and in other source milk in the following manner:

(a) Compute the total shrinkage of skim milk and butterfat, respectively, for each handler; and

(b) Prorate the total shrinkage of skim milk and butterfat, respectively, computed pursuant to paragraph (a) of this section, among the pounds of producer milk, other source milk, and receipts from handlers: *Provided*, That if milk is transferred from a pool plant to a non-pool plant located on the same premises as the transferor plant, the transfer to the non-pool plant shall be reduced by an amount determined by multiplying the total shrinkage in such non-pool plant by the percentage which the amount so transferred is to the total receipts at such non-pool plant.

**Sec. 43. Responsibility of handlers and reclassification of milk.** (a) All skim milk and butterfat shall be Class I milk unless the handler who first received such skim milk or butterfat proves

that such skim milk and butterfat should be classified as Class II milk.

(b) The burden shall rest upon each handler to establish the sources of milk and milk products required to be reported by him pursuant to section 30.

(c) Except as provided in section 44 (c) (1), any skim milk or butterfat classified in one class shall be reclassified if used or reused by any handler in another class.

**Sec. 44. Inter-plant movements.** Skim milk and butterfat transferred as any item specified in section 41 (a) (1) from a pool plant to another plant shall be assigned (separately) to each class in the following manner:

(a) From a pool plant to a pool plant: as Class I milk to the extent Class I milk is available at the transferee plant;

(b) From a pool plant to a non-pool plant. Such a transfer shall be classified as provided below, except that if the market administrator is not permitted to audit the records of a non-pool plant for the purpose of use verification, the entire transfer shall be classified as Class I milk.

(1) As Class I milk, if the transfer is to a non-pool plant which is engaged in the distribution of milk for consumption in fluid form, to the extent that milk is disposed of in such forms from the receiving plant.

(2) As Class II milk, if the transfer is to a non-pool plant which is not engaged in the distribution of milk for consumption in fluid form: *Provided*, That if such non-pool plant disposes of skim milk or butterfat in any of the forms specified in section 41 (a) (1) to any other non-pool plant distributing milk in fluid form, such disposition, up to the quantity of milk transferred to the first non-pool plant, shall be classified as Class I milk.

**Sec. 45. Computation of the quantity of producer milk in each class.** For each handler the market administrator shall:

(a) Correct for mathematical and for other obvious errors the monthly report submitted by such handler and compute the total pounds of skim milk and butterfat in each class: *Provided*, That when nonfat milk solids derived from nonfat dry milk solids, condensed skim milk, or any other product condensed from skim milk, are utilized by such handler to fortify (or as an additive to) fluid milk, flavored milk, skim milk or any other milk product, the then total pounds of skim milk computed for the appropriate class of use shall reflect the actual dry weight of such solids so added, and provided further than when such solids are utilized for disposition in reconstituted form as skim milk or a milk drink the total pounds of skim milk computed for the appropriate class of use shall reflect a volume equivalent to the skim milk used to produce such nonfat milk solids.

(b) Allocate skim milk in the following manner:

(1) Subtract from the pounds of skim milk in Class II milk the pounds of skim milk in other source milk received and in overage allocated to other source milk section 70 (a) (5): *Provided*, That if the receipts of skim milk in other source

milk plus the overage allocated to other source milk are greater than the pounds of skim milk in Class II milk, an amount equal to the difference shall be subtracted from the pounds of skim milk in Class I milk;

(2) Subtract from the remaining pounds of skim milk in each class, respectively, the skim milk received from other pool plants and assigned to such class pursuant to section 44;

(3) If the remaining pounds of skim milk in both classes exceed the pounds of skim milk in milk received from producers, subtract such excess (hereinafter referred to as "overage") from the remaining pounds of skim milk in each class beginning with Class II milk.

(c) Allocate butterfat in accordance with the procedure prescribed for skim milk in paragraph (b) of this section.

(d) Add together for each class the quantities of skim milk and butterfat in such class computed pursuant to paragraphs (b) and (c) of this section and compute the weighted average butterfat content of such class.

#### MINIMUM PRICES

**Sec. 50. Basic formula price to be used in determining Class I prices.** The basic formula price to be used in computing the price per hundredweight of Class I milk for the current month shall be the highest of the prices computed pursuant to paragraphs (a) and (b) of this section for the preceding month.

(a) Divide by 3.5 and then multiply by 4.0 the average of the basic, or field, prices per hundredweight reported to have been paid, or to be paid, for milk of 3.5 percent butterfat content received from dairy farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department:

#### Present Operator and Location

Borden Co., Mount Pleasant, Mich.  
Carnation Co., Sparta, Mich.  
Pet Milk Co., Hudson, Mich.  
Pet Milk Co., Wayland, Mich.  
Pet Milk Co., Coopersville, Mich.  
Borden Co., Orfordville, Wis.  
Borden Co., New London, Wis.  
Carnation Co., Richland Center, Wis.  
Carnation Co., Oconomowoc, Wis.  
Pet Milk Co., New Glarus, Wis.  
Pet Milk Co., Belleville, Wis.  
White House Milk Co., Manitowoc, Wis.  
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed by the market administrator from the following formula:

(1) Multiply by 4.8 the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago, as reported by the Department during the month: *Provided*, That, if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter;

(2) Multiply by 8.2 the simple average of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as



published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department; and

(3) From the sum of the results arrived at under subparagraphs (1) and (2) of this paragraph, subtract 67 cents.

**SEC. 51. Class prices.** Subject to the differentials provided in section 52, the following are the minimum prices per hundredweight to handlers for Class I milk and Class II milk:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price rounded to the nearest cent plus \$2.15: *Provided*, That the price for Class I milk for the months of April through June, inclusive, of any year shall not be higher than the price computed pursuant to the above provisions of this paragraph for the month of March immediately preceding, and the price for Class I milk for any October through January period, inclusive, shall not be lower than the price computed pursuant to the provisions of this paragraph for the month of September immediately preceding.

(b) *Class II milk.* The price for Class II milk shall be that computed by the market administrator from the following formula: *Provided*, That the price for Class IIA milk shall be 25¢ per hundredweight in excess thereof.

(1) Multiply by 4.8 the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at San Francisco, as reported by the Department during the month: *Provided*, That, if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter;

(2) Multiply by 8.2 the simple average of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department; and

(3) From the sum of the results arrived at under subparagraphs (1) and (2) of this paragraph, subtract 80 cents and round to the nearest cent.

**SEC. 52. Butterfat differentials to handlers.** If the average butterfat content of Class I milk or Class II milk, computed pursuant to section 45, for any handler for any month differs from 4.0 percent, there shall be added to, or subtracted from, the applicable class price (section 51) for each one-tenth of 1 percent that the average butterfat content of such class is respectively above, or below, 4.0 percent, a butterfat differential computed by the market administrator as follows:

(a) *Class I milk.* Multiply by 1.20 the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter at San Francisco, as reported by the Department during the preceding

month, divide the result by 10, and round to the nearest tenth of a cent.

(b) *Class II milk.* Multiply by 1.10 the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter at San Francisco, as reported by the Department during the preceding month, divide the result by 10, and round to the nearest tenth of a cent.

**SEC. 53. Location adjustment to handlers.** If milk is received from producers at a pool plant located more than 100 miles from the Spokane City Hall, the Class I price for such milk shall be one cent less per hundredweight for each ten miles or fraction thereof that such plant is from the Spokane City Hall by the shortest highway distance as determined by the market administrator.

DETERMINATION OF BASE

**SEC. 60. Computation of producer bases.** Subject to the rules set forth in section 61, the market administrator shall determine bases for producers in the manner provided in paragraphs (a) and (b) of this section:

(a) The daily base of each producer shall be a quantity computed by dividing such producer's total pounds of milk delivered to a handler in the five lowest months of his production in any calendar year by the total number of days in the said five months: *Provided*, That with respect to any producer on "every-other-day" delivery the days of non-delivery intervening days of delivery shall be considered as days of delivery for the purpose of ascertaining whether delivery was made. The base so computed, which shall be recomputed each year, shall become effective on the first day of March next following and shall remain in effect through the month of February of the next succeeding year.

(b) Any producer who is not eligible to receive a base computed pursuant to paragraph (a) of this section, shall have a monthly base computed by multiplying his deliveries to a handler(s) during the month by the appropriate monthly percentage in the following table:

January -----	65	July -----	60
February -----	60	August -----	65
March -----	55	September -----	70
April -----	55	October -----	70
May -----	45	November -----	80
June -----	50	December -----	75

**SEC. 61. Base rules.** The following rules shall be observed in determination of bases:

(a) A base may be transferred upon written notice to the market administrator on or before the last day of the month of transfer, but only if a producer sells, leases, or otherwise conveys his herd to another producer and it is established to the satisfaction of the market administrator that the conveyance of the herd was bona fide and not for the purpose of evading any provision of this subpart.

(b) A producer who ceases deliveries to a pool plant for more than 45 days shall lose his base if computed pursuant to section 60 (a) and if he resumes deliveries to such a plant he shall be paid on a base determined pursuant to sec-

tion 60 (b) until he can establish a new base under section 60 (a) to begin the next March 1.

(c) By notifying the market administrator in writing on or before the 15th day of any month, a producer holding a base established pursuant to section 60 (a) may relinquish such base by cancellation, and effective from the first day of the month in which notice is received by the market administrator until the next March 1 such producer's base shall be computed in the manner provided by section 60 (b).

(d) As soon as bases computed by the market administrator are allotted, notice of the amount of each producer's base shall be given by the market administrator to the handler receiving such producer's milk and to the cooperative association of which the producer is a member. Each handler, following receipt of such notice, shall promptly post in a conspicuous place at each of his plants a list or lists showing the base of each producer whose milk is received at such plant.

(e) If a producer operates more than one farm, he shall establish a separate base with respect to producer milk delivered from each such farm.

(f) Only producers as defined in section 11 may establish or earn a base pursuant to the provisions of section 60, and only one base shall be allotted with respect to milk produced by one or more persons where the land, buildings, and equipment used are jointly owned or operated.

DETERMINATION OF UNIFORM PRICE

**SEC. 70. Computation of value of milk.**

(a) Except as provided in paragraph (b) of this section, the total value of milk received during any month at each plant by each handler including a cooperative association, shall be a sum of money computed by the market administrator as follows:

(1) Multiply the pounds of producer milk in each class for such month by the class price (section 51) and add together the resulting amounts;

(2) Deduct the total amount of all location adjustment credits computed in accordance with section 53;

(3) Add or subtract, as the case may be, the amount necessary to correct errors as disclosed by the verification of reports of such handler of his receipts and utilization of skim milk and butterfat in previous months for which payment has not been made;

(4) Add, if such handler had overage, an amount computed by multiplying the pounds of such overage (except overage prorated to other source milk) deducted from each class pursuant to section 45 by the applicable class price: *Provided*, That if (i) overage results in a pool plant having receipts of other source milk, the total overage shall be prorated between other source milk and all other receipts, and (ii) overage results in a non-pool plant located on the same premises as a pool plant, such overage shall be prorated between the quantity transferred from the pool plant and other source milk in such non-pool plant, and the transferor handler shall be charged at the applicable class price for the amount

of overage allocated to the transferred quantity;

(5) Add, with respect to other source milk (including overage allocated to other source milk but excluding other order milk) received at each pool plant of such handler in excess of the total volume of his Class II milk (except allowable shrinkage) at such plant, an amount computed by multiplying the hundredweight of such other source milk by the difference between the Class I milk and Class II milk prices adjusted, respectively, by the butterfat differentials provided in section 52 (based on the butterfat test of such other source milk).

(b) The value of milk of each handler at any plant where only other source milk was received and from which, during the month, some other source milk was disposed of within the marketing area as Class I milk pursuant to section 41 (a) (1) shall be a sum of money computed by the market administrator by multiplying the hundredweight of such other source milk (exclusive of other order milk) so disposed of by the difference between the Class I milk and Class II milk prices adjusted, respectively, by the butterfat differentials provided in section 52 (based on the butterfat test of such other source milk).

**SEC. 71. Computation of uniform price.** For each month the market administrator shall compute the uniform prices per hundredweight for base milk and excess milk received from producers as follows:

(a) Combine into one total the values computed pursuant to section 70 for all handlers who made the reports prescribed in section 30 and who made the payments pursuant to section 84 for the preceding month;

(b) Add the aggregate of values of the location adjustments on base milk allowable pursuant to section 81;

(c) Add an amount representing not less than one-half the unobligated cash balance in the producer-settlement fund;

(d) Subtract, if the average butterfat content of the milk represented by the values included under paragraph (a) of this section is greater than 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, an amount computed by multiplying the amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential computed pursuant to section 82 and multiplying the resulting figure by the total hundredweight of such milk;

(e) Multiply the hundredweight of excess milk by the Class II price for 4.0 percent milk;

(f) Compute the total value of base milk by subtracting the amount computed pursuant to paragraph (e) of this section from the net amount computed pursuant to paragraph (d) of this section: *Provided*, That if such result is greater than an amount computed by multiplying the hundredweight of base milk by the Class I milk price (for 4.0 percent milk) plus 4 cents such amount in excess thereof shall be subtracted from the result obtained prior to this proviso;

(g) Divide the net amount obtained in paragraph (f) of this section by the total hundredweight of base milk and subtract not less than 4 cents but less than 5 cents. This result shall be known as the uniform price per hundredweight of base milk of 4.0 percent butterfat content; and

(h) Divide the amount obtained in paragraph (e) of this section plus any amount subtracted pursuant to the proviso of paragraph (f) of this section by the hundredweight of excess milk. This result shall be known as the uniform price per hundredweight of excess milk of 4.0 percent butterfat content.

#### PAYMENTS

**SEC. 80. Time and method of payment to producers and to cooperative associations.** (a) On or before the 16th day after the end of each month, each handler, including a cooperative association which is a handler, shall make payment to each producer, for milk received at his plant from such producer during such month pursuant to subparagraphs (1) and (2) of this paragraph: *Provided*, That such payment shall be made, upon request, to a cooperative association, or to its duly authorized agent, qualified under section 5 with respect to milk received from each producer who has given such association authorization by contract or by other written instrument to collect the proceeds from the sale of his milk, and any payment made pursuant to this proviso shall be made on or before the 13th day after the end of such month: *And provided further*, That, if by such date such handler has not received full payment for such month pursuant to section 85, he shall not be deemed to be in violation of this paragraph if he reduces uniformly for all producers his payments per hundredweight pursuant to this paragraph by a total amount not in excess of the reduction in payment from the market administrator; however, the handler shall make such balance of payment uniformly to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator:

(1) At not less than the uniform price for base milk for the quantity of base milk received, adjusted by the butterfat differential computed pursuant to section 82.

(2) At not less than the uniform price for excess milk for the quantity of excess milk received, adjusted by the butterfat differential computed pursuant to section 82.

(b) On or before the 17th day after the end of each month each handler shall pay to each cooperative association which operates a pool plant for skim milk and butterfat received from such cooperative association during such month, an amount of money computed by multiplying the total pounds of such skim milk and butterfat in each class (pursuant to section 41) by the class price.

(c) None of the provisions of this section shall be construed to restrict any cooperative association qualified under

section 8c (5) (F) of the act from making payment for milk to its producers in accordance with such provision of the act.

**SEC. 81. Location adjustment to producers.** In making payment to producers pursuant to section 80 for milk received at a pool plant located more than 100 miles from the Spokane City Hall, the price per hundredweight for base milk shall be reduced one cent for each ten miles or fraction thereof that such plant is from the Spokane City Hall by the shortest highway distance as determined by the market administrator.

**SEC. 82. Producer butterfat differential.** In making payments pursuant to section 80 (a) for base milk and for excess milk, there shall be added to, or subtracted from, the uniform prices thereof for each one-tenth of 1 percent that the average butterfat content of the milk received from the producer is above or below 4.0 percent, butterfat differentials computed by the market administrator as follows:

(a) The butterfat differential for base milk shall be computed by multiplying the butterfat differential for Class I milk by the percentage of the butterfat contained in base milk that is allocated to Class I, and by multiplying the remaining percentage of butterfat within base milk by the butterfat differential for Class II milk, adding together the resulting amounts, and rounding to the nearest tenth of a cent.

(b) The butterfat differential for excess milk shall be the same as the butterfat differential for Class II milk.

**SEC. 83. Producer-settlement fund.** The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to section 84 and out of which he shall make all payments to handlers pursuant to section 85.

**SEC. 84. Payments to the producer-settlement fund.** On or before the 12th day after the end of the month during which the milk was received, each handler, including a cooperative association which is a handler, shall pay to the market administrator the amount, if any, by which the total value of such handler's milk as determined pursuant to section 70 is greater than the value of such handler's producer milk computed at the minimum uniform prices as specified in section 80 (a).

**SEC. 85. Payments out of the producer-settlement fund.** On or before the 14th day after the end of the month during which the milk was received, the market administrator shall pay to each handler, including a cooperative association which is a handler, the amount, if any, by which the total value of such handler's milk as determined pursuant to section 70 is less than the value of such handler's producer milk computed at the minimum uniform prices as specified in section 80 (a), and less any unpaid obligations of such handler to the market administrator pursuant to sections 84, 86, 87 and 88: *Provided*, That, if the bal-

ance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

**Sec. 86. Adjustments of accounts.** Whenever verification by the market administrator of reports or payments of any handler discloses errors resulting in money due (a) the market administrator from such handler, (b) such handler from the market administrator, or (c) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred following the 5th day after such notice.

**Sec. 87. Marketing services.** (a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than with respect to milk of such handler's own production) pursuant to section 80 (a), shall make a deduction of 5 cents per hundredweight of milk, or such amount not exceeding 5 cents per hundredweight as the Secretary may prescribe, with respect to the following:

(1) All milk received from producers at a plant not operated by a cooperative association;

(2) All milk received at a plant operated by a cooperative association from producers who are not members of such association; and

(3) All milk received at a plant operated by a cooperative association (s) from producers who are members thereof but for whom any of the services set forth below in this paragraph are not being performed by such association (s), as determined by the market administrator.

Such deduction shall be paid by the handler to the market administrator on or before the 12th day after the end of the month. Such moneys shall be expended by the market administrator for the verification of weights, sampling and testing of milk received from producers and in providing for market information to producers; such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of each producer (1) who is a member of, or who has given written authorization for the rendering of marketing services and the taking of deduction therefor to, a cooperative association, (2) whose milk is received at a plant not operated by such association, and (3) for whom the market administrator determines that such association is performing the services described in paragraph (a) of this section, each handler shall deduct, in lieu of the deduction specified under paragraph (a) of this section, from the payments made pursuant to section 80 (a) the amount per hundredweight on milk authorized by such producer and shall pay over, on or before the 15th day after

the end of the month, such deduction to the association entitled to receive it under this paragraph.

**Sec. 88. Expense of administration.** As his pro rata share of the expense of administration of this subpart, each handler shall pay to the market administrator on or before the 12th day after the end of each month 4 cents per hundredweight, or such amount not exceeding 4 cents per hundredweight as the Secretary may prescribe, with respect to all receipts within such month of (a) other source milk classified as Class I milk, and (b) milk received from producers, including such handler's own production.

**Sec. 89. Termination of obligations.** The provisions of this section shall apply to any obligation under this subpart for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last-known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to

be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claims was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

#### EFFECTIVE TIME, SUSPENSION OR TERMINATION

**Sec. 90. Effective time.** The provisions of this subpart or any amendment to this subpart shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to section 91.

**Sec. 91. Suspension or termination.** The Secretary may suspend or terminate this subpart or any provision of this subpart whenever he finds this subpart or any provision of this subpart obstructs or does not tend to effectuate the declared policy of the act. This subpart shall terminate in any event whenever the provisions of the act authorizing it cease to be in effect.

**Sec. 92. Continuing obligations.** If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

**Sec. 93. Liquidation.** Upon the suspension or termination of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall if so directed by the Secretary liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expense of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

#### MISCELLANEOUS PROVISIONS

**Sec. 100. Agents.** The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

**Sec. 101. Separability of provisions.** If any provision of this subpart, or its

application to any person or circumstances, is held invalid, the application of such provision and of the remaining provisions of this subpart, to other persons or circumstances, shall not be affected thereby.

**Proposal No. 2.** (Proposed by Milky Way Dairy):

The marketing area as proposed by Inland Empire Dairy Association et al. be enlarged to include Asotin County, Washington and Nez Perce County, Idaho.

**Proposal No. 3.** (Proposed by Arden Farms Company):

The marketing area defined in the proposed order by the Inland Empire Dairy Association et al. should be amended as follows:

(1) That District No. 2 be enlarged to include all of Chelan and Douglas Counties and that part of Okanogan County lying south of Township 31, all in the State of Washington.

(2) That District No. 1 be enlarged to include all of Latah County, Idaho.

**Proposal No. 4.** (Proposed by Morning Sun Dairy, Inc.):

Provide in the transfer provisions that milk be classified as Class II milk if the transfer is to be a non-pool plant located in the marketing area and such plant is not engaged in the distribution of bottled milk but manufactures, processes, sterilizes and cans said milk in hermetically sealed cans.

Copies of this notice of hearing may be procured from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: April 29, 1955.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator.

[F. R. Doc. 55-3618; Filed, May 3, 1955;  
8:53 a. m.]

### Commodity Stabilization Service [ 7 CFR Parts 723, 725, 726 ]

CIGAR-FILLER TOBACCO AND CIGAR-FILLER AND BINDER TOBACCO; BURLEY AND FLUE-CURED TOBACCO; FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

MARKETING, COLLECTION OF MARKETING PENALTIES, AND RECORDS AND REPORTS, 1955-56 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1311-1315, 1372-1375), the Secretary of Agriculture is preparing to formulate marketing quota regulations covering the issuance of marketing cards, the identification of tobacco, the collection and refund of penalties, and the records and reports incident thereto on the marketing of cigar-filler and binder, Burley, flue-cured, fire-cured, dark air-cured, and Virginia sun-cured tobacco for the 1955-56 marketing year.

The Secretary is considering the issuance of regulations for the 1955-56 mar-

keting year substantially the same as those issued for the 1954-55 marketing year (19 F. R. 4127, Cigar-filler and binder; 19 F. R. 3143, Burley and flue-cured; 19 F. R. 4052 Fire-cured, dark air-cured, and Virginia sun-cured) except for changes and additional provisions as follows:

(1) The rule of fractions applicable to the harvested acreage of tobacco on a farm would be changed to provide that the harvested acreage for 1955 will be expressed in hundredths of acres dropping all fractions of less than one hundredth of an acre.

(2) The provision for placing excess tobacco in storage under bond as a method by which the farm operator may dispose of excess tobacco so as to avoid the payment of penalty would be eliminated. This would not affect the provision of the regulations relating to carry-over tobacco or the provision for marketing penalty-free an amount of tobacco placed under storage for a prior marketing year equal to the amount, as determined under the regulations, by which the harvested acreage is less than the acreage allotment for a subsequent marketing year.

(3) An additional provision would be included that all acreage of tobacco on any farm in an area normally growing tobacco subject to marketing quotas will be considered a kind of tobacco subject to marketing quotas until such time as the county committee is furnished satisfactory proof that the tobacco is not subject to marketing quotas. The effect of this provision would be to prevent the production and marketing of alleged non-quota kinds of tobacco in quota tobacco producing and marketing areas.

(4) Additional provisions would be included which would require the issuance of "zero percent" excess marketing cards as follows:

(a) A "zero percent" excess marketing card would be issued for each kind of tobacco on a farm if all the following conditions exist with respect to the farm: (i) The acreage of any kind of tobacco is determined to be in excess of the farm acreage allotment therefor; (ii) the excess tobacco is disposed of prior to the marketing of any tobacco from the farm; and (iii) no written request to dispose of excess tobacco (with a deposit to cover the estimated cost) is filed with the County ASC Office within seven (7) days from the date of mailing to the farm operator of a notice of the excess acreage. The effect of this provision would be to deny government price support loans on all tobacco produced on a farm unless the grower files a written request to dispose of his excess tobacco in time to permit the county committee to arrange for witnessing such disposition prior to the marketing of any tobacco from the farm.

(b) A "zero percent" excess marketing card would be issued for each kind of tobacco on a farm for which the acreage is determined to be within the farm acreage allotment if the acreage of any kind of tobacco produced on the farm is determined to be in excess of the farm acreage allotment and the excess of such kind of tobacco is not disposed of prior to marketing any tobacco from the farm.

The effect of this provision would be to deny government price support loans on all tobacco produced on a farm if the harvested acreage of any kind of tobacco produced on the farm is in excess of the farm acreage allotment and the excess tobacco is not disposed of prior to marketing any tobacco from the farm.

(5) An additional section would be added to provide specifically for serial number identification of farms.

(6) An additional section would be added prescribing specifically the duties of county committeemen and producers in determining the acreage of tobacco on each farm and prescribing the duty of the farm operator or his representative to report all fields of tobacco on the farm.

(7) An additional section would be added which would serve to clarify the producer's liability for penalty due on the basis of a redetermination of the acreage of tobacco by the county committee after part or all the tobacco produced on the farm has been marketed.

Prior to the final adoption and issuance of such regulations, consideration will be given to any data, views, or recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than ten days from the date of publication of this notice in the FEDERAL REGISTER in order to be considered.

Issued at Washington, D. C., this 28th day of April 1955.

[SEAL] EARL M. HUGHES,  
Administrator.

[F. R. Doc. 55-3594; Filed, May 3, 1955;  
8:49 a. m.]

### CIVIL AERONAUTICS BOARD [ 14 CFR Part 20 ]

ISSUANCE OF STUDENT GLIDER PILOT CERTIFICATES TO PERSONS THIRTEEN YEARS OF AGE RECEIVING INSTRUCTION AT THE MISSISSIPPI STATE COLLEGE GLIDER CLUB

#### NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board the issuance of a Special Civil Air Regulation to extend the authority contained in Special Civil Air Regulation No. SR-404 as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by May 16, 1955. Copies of such communications will be available after May 18, 1955, for examination by interested persons at the Docket Section of the

Board, Room 5412, Department of Commerce Building, Washington, D. C.

The Mississippi State College, by letter of Mr. August Raspet, Head of the Aerophysics Department, has requested an extension of currently effective Special Civil Air Regulation No. SR-404, which permits the issuance of student glider pilot certificates to persons thirteen years of age who are to receive glider training at the Mississippi State College Glider Club. This regulation became effective May 19, 1954, and terminates May 18, 1955.

The Mississippi State College Glider Club, an organized extra curricular activity at Mississippi State College, has a definite glider training syllabus, a glider instructor who has a commercial glider rating, and a single place glider for training. All students are trained under the personal supervision of the instructor and complete records are kept of all flights.

As part of their training program, the club has been investigating the potential of glider training as a means of indoctrinating young persons into the broad medium of flight. In order to carry out this project the club requested the authority granted by SR-404, since it was considered desirable that high school students, many of whom are thirteen years of age, be able to participate. The Board concurred, and in adopting SR-404 indicated that the knowledge gained through such a program would be beneficial in the future formulation and revision of Civil Air Regulations.

During the period that SR-404 has been in effect, only one student thirteen years of age received glider training under the program conducted by the Mississippi State College Glider Club. This is not a sufficient sampling to be of use to the Board. However, Mr. Raspet has requested that SR-404 be extended for the reason that he foresees an increase in the enrollment of thirteen-year-old students in the Spring of 1955. The Bureau of Safety Regulation believes that, if such an increase in enrollment does occur, the knowledge gained through such a program will be of value in formulating Board policy concerning airman requirements of the Civil Air Regulations. Since the Bureau plans to publish a proposed revision of Part 20 of the Civil Air Regulations for comment in the near future, it appears desirable to extend the provisions of SR-404.

In view of the foregoing, notice is hereby given that it is proposed to promulgate a Special Civil Air Regulation to read as follows:

Contrary provisions of the Civil Air Regulations notwithstanding, the Administrator may issue or authorize the issuance of a student glider pilot certificate to a person thirteen years of age who is to receive glider training at the Mississippi State College Glider Club: *Provided*, (1) That the training shall be conducted under the personal supervision of a holder of a commercial glider rating or flight instructor rating for gliders and (2) That the certificate shall bear the following limitation on its face, "Valid only

for receiving glider instruction given by the Mississippi State College Glider Club."

This regulation shall supersede Special Civil Air Regulation No. SR-404 and, unless sooner superseded or rescinded by the Board, shall terminate on May 18, 1956.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended, and may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated at Washington, D. C., April 23, 1955.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,  
*Director.*

[F. R. Doc. 55-3622; Filed, May 3, 1955; 8:54 a. m.]

**FEDERAL COMMUNICATIONS COMMISSION**

**[ 47 CFR Part 3 ]**

[Docket No. 11301; FCC 55-517]

**TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS**

**NOTICE OF FURTHER PROPOSED RULE MAKING AND ORDER TO SHOW CAUSE**

1. Notice is hereby given that the Commission has received a further proposal in this proceeding to amend the television table of assignments contained in § 3.606 of the Commission's rules and regulations so as to assign Channel 40 to Springfield, Massachusetts, in place of Channel 55, as follows:

City	Channel No.	
	Delete	Add
Springfield-Holyoke, Mass.....	55	40
Montpelier, Vt.....	40	57

2. The Commission is of the view that the public interest would be served by instituting further rule-making proceedings to consider the above proposal looking toward the substitution of a lower UHF channel in Springfield for an operating television station.

3. Any interested party who is of the opinion that the amendment proposed by petitioner should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before June 2, 1955, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. No additional comments may be filed unless (1) speci-

cally requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider such comments before taking final action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

4. Since the Hampden-Hampshire Corporation is presently operating Station WHYN-TV on Channel 55 at Springfield and the rule making proposed herein would require this station to operate on Channel 40, the Hampden-Hampshire Corporation is ordered to show cause why its outstanding authorization should not be modified to specify operation on Channel 40 in lieu of Channel 55. A reply in writing to the aforesaid order to show cause should be filed on or before the same date for filing comments in the proceeding.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: April 27, 1955.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] MARY JANE MORRIS,  
*Secretary,*

[F. R. Doc. 55-3602; Filed, May 3, 1955; 8:50 a. m.]

**[ 47 CFR Part 3 ]**

[Docket No. 11333; FCC 55-519]

**TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS**

**ORDER EXTENDING TIME FOR FILING COMMENTS**

1. At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955;

2. The Commission has before it for consideration the joint petition of West Central Broadcasting Company and Hilltop Broadcasting Company requesting the Commission to extend the time for filing comments in the above-entitled proceeding for a period of 30 days; and the oppositions to this petition filed by WMBD, Inc., and WIRL Television Co.

3. On March 31, 1955, the Commission instituted the subject rule-making proceeding to consider the de-intermixture of commercial VHF and UHF television channels in the Peoria, Illinois, area. The time for filing comments in this proceeding presently expires on May 2, 1955. West Central Broadcasting Company and Hilltop Broadcasting Company request that the Commission extend the time for filing comments for a period of 30 days. WMBD, Inc., and WIRL Television Co., applicants for Channel 8 in Peoria, have filed oppositions, urging

PROPOSED RULE MAKING

that the Commission should deny the requested extension of time.

4. Upon consideration of the pleadings filed with respect to this matter, the Commission believes that the public interest, convenience and necessity would be served by extending the time for filing comments in this proceeding for a period of 15 days.

5. In view of the foregoing: *It is ordered*, That the time for filing comments in the above-entitled proceeding is extended to May 17, 1955, with replies thereto due 10 days thereafter.

Released: April 29, 1955.

By direction of the Commission.

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3603; Filed, May 3, 1955; 8:50 a. m.]

[ 47 CFR Part 3 ]

[Docket No. 11334; FCC 55-520]

TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS

ORDER EXTENDING TIME FOR FILING COMMENTS

1. At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955;

2. The Commission has under consideration the petition of Owensboro on the Air, Inc., Owensboro Publishing Company, Evansville TV, Inc., and On the Air, Inc., requesting the Commission to extend the time for filing comments in the above-entitled proceeding from May 2, 1955, to June 1, 1955.

3. On March 31, 1955, the Commission instituted the subject rule-making proceeding to consider the de-intermixture of VHF and UHF commercial television channels in the Evansville and Hatfield, Indiana, area. The time for filing comments in the proceeding was specified as May 2, 1955, with replies thereto due 10 days thereafter. The subject petition requests that the Commission extend the time for filing comments for a period of 30 days to June 1, 1955. Petitioners state that Premier Television, Inc., and Ohio Valley Television Co., parties to this proceeding, have consented to the request.

4. Upon consideration of the foregoing petition, the Commission has determined that the public interest, convenience and necessity would be served by extending the time for filing comments in this proceeding for a period of 15 days.

5. In view of the foregoing: *It is ordered*, That the time for filing comments in the above-entitled proceeding is extended from May 2, 1955, to May 17, 1955, with replies thereto due 10 days thereafter.

Released: April 29, 1955.

By Direction of the Commission.

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3604; Filed, May 3, 1955; 8:50 a. m.]

[ 47 CFR Part 3 ]

[Docket No. 11335; FCC 55-522]

TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS

ORDER EXTENDING TIME FOR FILING COMMENTS

1. At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955;

2. The Commission has before it for consideration the petition of Bartell Television Corporation and Monona Broadcasting Company requesting the Commission to extend the time for filing comments in the above-entitled proceeding for a period of 30 days to June 1, 1955; and the Opposition of Radio Wisconsin, Inc.

3. On March 31, 1955, the Commission instituted the subject rule-making proceeding to consider the de-intermixture of VHF and UHF commercial television channels in the Madison, Wisconsin, and Rockford, Illinois, area. The time for filing comments in this proceeding was specified as May 2, 1955, with replies thereto 10 days thereafter. Bartell Television Corporation and Monona Broadcasting Company request that the Commission extend the time for filing such comments for a period of 30 days to June 1, 1955. Radio Wisconsin, Inc., one of the applicants for Channel 3 at Madison, opposes this request.

4. Upon consideration of the pleadings filed in this proceeding, the Commission has determined that the public interest, convenience and necessity would be served by extending the time for filing comments for a period of 15 days.

5. It should also be noted that Winnebago Television Corporation has submitted an amended proposal in this proceeding requesting that the Commission amend the table of assignments as follows:

City	Present channel assignments	Proposed channel assignments
Rockford, Ill.	13, 39, *45	13, *45
Orangeville, Ill.		3
Madison, Wis.	3, *21, 27, 33	*21, 27, 33, 39
Fond du Lac, Wis.	54	63

Winnebago Television Corporation under this amended proposal would be required to operate on Channel 3 at Orangeville, Illinois, in lieu of Channel 39 at Rockford, Illinois. Winnebago Television Corporation also notes that in its Plan II advanced earlier in this proceeding, Greater Rockford Television, Inc. (WREX-TV) on Channel 13 at Rockford, Illinois, would be required to change to Channel 51.

6. In view of the foregoing: *It is ordered*, That the time for filing comments in the above-entitled proceeding is extended from May 2, 1955, to May 17, 1955, with replies thereto due 10 days thereafter.

Released: April 29, 1955.

By Direction of the Commission.

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3605; Filed, May 3, 1955; 8:50 a. m.]

[ 47 CFR Part 3 ]

[Docket No. 11336; FCC 55-521]

TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS

ORDER EXTENDING TIME FOR FILING COMMENTS

1. At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955;

2. The Commission has before it for consideration the petition of Channel 16 of Rhode Island, Inc., and Eastern Connecticut Broadcasting Company requesting the Commission to extend the time for filing comments in the above-entitled proceeding from May 2, 1955, to May 23, 1955.

3. On March 31, 1955, the Commission instituted the subject rule-making proceeding to consider the de-intermixture of commercial VHF and UHF television channels in the Hartford, Connecticut, area. The time for filing comments in this proceeding was specified as May 2, 1955, with replies thereto due 10 days thereafter. Petitioners now request that we extend the time for filing comments in this proceeding to May 23, 1955. Petitioners state that General Times Television Corp., New Britain Broadcasting Co., Hampden-Hampshire Corp., and Springfield Television Broadcasting Corporation have consented to the relief requested.

4. Upon consideration of the petition, the Commission has concluded that the public interest, convenience and necessity would be served by extending the time for filing comments for a period of 15 days.

5. It should also be noted that Eastern Connecticut Broadcasting Company has filed an additional proposal in this proceeding requesting that the Commission amend its television channel assignments as follows:

PLAN A		
City	Add	Delete
Norwich, Conn.	3	57
Hartford, Conn.	76	3
Northampton, Mass.	82	26
Amherst, Mass.	42	82

PLAN B		
Norwich, Conn.	3	57
Hartford, Conn.	59	3
New Haven, Conn. <sup>1</sup>	75	59
Patchogue, N. Y.	54	75

PLAN C		
Norwich, Conn.	3	57
Hartford, Conn. <sup>2</sup>	*76, 24	*24, 3
Northampton, Mass.	82	26
Amherst, Mass.	42	82

<sup>1</sup> Plan B will require Connecticut Radio Foundation, Inc. (WELI-TV), holder of permit for Channel 59, to shift to Channel 75.

<sup>2</sup> Plan C will require Connecticut State Board of Education (WEDH), holder of permit for Channel 24, to shift to Channel 76.

The foregoing proposal should also be considered in this proceeding.

6. In view of the foregoing: *It is ordered*, That the time for filing comments in the above-entitled proceeding is extended from May 2, 1955, to May 17,

1955, with replies thereto due 10 days thereafter.

Released: April 29, 1955.

By Direction of the Commission.

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3606; Filed, May 3, 1955;  
8:50 a. m.]

[ 47 CFR Parts 7, 8 ]

[Docket No. 11374; FCC 55-505]

SHIP AND COAST STATIONS USING  
RADIOTELEPHONY

MISSISSIPPI RIVER AND CONNECTING INLAND  
WATERS (EXCEPT GREAT LAKES)

In the matter of amendment of Parts 7 and 8 of the Commission's rules to delete the frequencies 6240 and 6455 kc and to make 4372.4 kc available on a full-time basis for ship and coast stations using radiotelephony on the Mississippi River and connecting inland waters (except the Great Lakes).

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. On December 28, 1953, the Commission adopted a report and order in Docket 10724 which, in part, made the frequency 4067 kc available for the public maritime mobile service of telephony on the Mississippi River system as a protected full-time replacement for 4126.5 kc and made 4372.4 kc available during daylight hours as a replacement for 6240 and 6455 kc; all for ship-shore communication. The availability of 4372.4 kc to ship stations was limited to those stations not licensed to transmit on 6240 and/or 6455 kc. Ship stations licensed on one or both of the latter frequencies have had full opportunity to request modification of license so as to delete such frequency or frequencies and substitute 4372.4 kc.

3. The report and order in Docket 10724 pointed out that maritime telephone communications on the Mississippi River system on 6455 kc would undoubtedly be subjected to severe interference when frequencies of the same order allocated by international agreement for use by certain coast telegraph stations were activated. It was also pointed out that any concerted attempt to use 6240 kc for ship-shore telephony on the river system would undoubtedly result in interference between stations serving the rivers and ocean-going passenger ship public telegraph service. The first prediction has already come to pass and the situation is expected to become progressively worse as certain additional coast telegraph stations are activated. A recent Commission monitoring survey indicates that approximately 30 percent of the rivers telephone communications on 6455 kc are receiving apparently disruptive interference.

4. Tests have also been conducted by the Commission to determine the feasibility of co-channel sharing of a 6 Mc frequency by ship telegraph stations on the oceans and by stations of the rivers telephone operation, such as would be the case if 6240 kc were activated by the

stations serving the rivers. The results conclusively demonstrated that U. S. coast stations attempting to receive telegraph signals from both U. S. and foreign ocean passenger ships operating on 6240 kc in accordance with international agreement would be subjected to harmful interference from "out-of-band" stations on the rivers.

5. It is recognized that communications on the rivers are of considerable concern to the national economy. However, 6455 kc has provided a river communication facility that has grown increasingly useless in the face of disruptive interference for which no reasonable solution appears possible. For that reason, in the opinion of the Commission, it would not seem to be in the public interest to permit the continued use of this frequency and to further postpone the effective activation of an available and "protected" 4 Mc replacement frequency. Further, 6240 kc, although available for the river service for many years, has never been effectively used by that service and disruptive interference would result if it were activated. The frequency 4372.4 kc, although available for assignment for daytime use in the Rules since January 1, 1954, also has never been activated for general radio-telephone use on the rivers. To mitigate any loss of facilities that might be felt over the proposed deletion of the 6 Mc frequencies, the Commission proposes to make 4372.4 kc (in addition to the existing availability of 4067 kc) available on a "protected" full-time basis. In consequence, it is believed that, from the point of view of establishing the internationally protected rivers frequencies on a firm active basis, both "unprotected" frequencies 6240 and 6455 kc should be deleted from the Commission's rules on the ground that the stations involved should employ the available and protected 4 Mc frequencies in lieu thereof.

6. Paragraph 157 of the Final Acts of the Extraordinary Administrative Radio Conference (Geneva, 1951) provides that the Administrative Council, which convened April 23, 1955, at Geneva, may review the progress made to date in bringing the Atlantic City Table of Frequency Allocations into force, with a view to recommending a specific date for the beginning of the final adjustment period. The only remaining out-of-band assignments licensed by the Commission, for which definite plans to move to in-band frequencies have not been made, are the Mississippi River system authorizations for public ship-shore telephony on 6240 and 6455 kc.

7. For the several reasons hereinbefore cited, it would appear contrary to the public interest to permit these assignments to continue on a derogation basis. Because of the length of time required under the Administrative Procedure Act for the Commission to effect a change in its Rules, action should be initiated well in advance of an anticipated date for the final adjustment period in order to meet that date.

8. The proposed appropriate amendments to the rules are issued pursuant to the authority of sections 303 (c), (f), and (r) of the Communications Act of 1934, as amended, the Final Acts of the

International Telecommunication Radio Conference (Atlantic City, 1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951).

9. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before August 5, 1955, written data, views or arguments setting forth his comments. Comments in support of the proposed amendments may also be filed on or before the same date. Comments in reply to the original comments may be filed within ten days from the last day for filing said original data, views or arguments. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider all such comments prior to taking final action in this matter, and if comments are submitted warranting oral argument, notice of the time and place of such oral argument will be given.

10. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: April 27, 1955.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3607; Filed, May 3, 1955;  
8:51 a. m.]

[ 47 CFR Part 13 ]

[Docket No. 9892; FCC 55-506]

COMMERCIAL RADIO OPERATORS

OPERATING AUTHORITY OF HOLDERS OF RESTRICTED RADIOTELEPHONE OPERATOR PERMIT AND AIRCRAFT RADIOTELEPHONE OPERATOR AUTHORIZATION

1. Notice is hereby given of further proposed rule-making in the above-entitled matter.

2. Article 24 of the International Radio Regulations (Atlantic City, 1947) contains a general requirement that the service of every ship or aircraft radiotelegraph or radiotelephone station must be performed by a certificated (licensed) radio operator. Article 24 also provides several classes of operator licenses for this purpose, graded as to qualifications and scope of operating authority according to certain characteristics (amount of power, class of emission, etc.) of the stations. Certain limitations specified in those regulations with respect to power have not as yet been carried over into the Commission's corresponding system of operator licenses.

3. As a step toward conforming to the international operator license requirements the Commission on January 29, 1951, adopted a notice of proposed rule-

making proposing (A) to amend § 13.61 (g) of its rules governing Commercial Radio Operators so as to limit the operating authority of holders of restricted radiotelephone operator permits, in the case of ship radiotelephone stations and aircraft radiotelephone stations, to such stations at which the power in the antenna of the unmodulated carrier is not authorized to exceed 50 watts; and (B) to amend § 13.61 of these rules by adding new paragraph (h) which would limit the operating authority of holders of aircraft radiotelephone operator authorizations to aircraft radiotelephone stations at which the power in the antenna of the unmodulated carrier is not authorized to exceed 50 watts.

4. From the comments received it was apparent that some respondents thought the proposal would require greater technical competence in operators in order to operate higher power radiotelephone equipment, i. e., above 50 watts, and protested that such competence was not needed. The facts are that the requirements for obtaining the next higher grade of license, namely, the radiotelephone third-class operator permit, are concerned only with basic regulations and operating practices and procedures. These requirements closely parallel those of the international radio regulations; they are designed to promote circuit discipline and efficiency in mobile operations and have nothing to do with the technical aspects of radio equipment. It was also suggested that the power limit should be 100 watts in many cases instead of 50 watts because of varying efficiencies of antennas. This suggestion is considered without merit because the 50-watt limit has already been fixed by international agreement.

5. There was one comment that the 50-watt limitation should be in terms of actual antenna power rather than "authorized" antenna power because in some cases more power is authorized than is actually delivered to the antenna. In order to determine actual antenna power it would be necessary to measure individual antennas, a procedure which the Commission considered a burdensome and impracticable requirement. With this in mind the Commission deemed it not unreasonable to specify the 50-watt limitation in terms of authorized power, as was done earlier in specifying a power limit of 250 watts for the third-class operator permits.

6. Since there were questions as to how "authorized power in the antenna of the unmodulated carrier" would be determined the Commission has decided that the original proposal in this matter should be modified by adding a new rule section to Part 13 to show how this quantity would be related to the terms of the station license and to certain characteristics of the transmitting equipment. (See proposed § 13.76, below.)

7. It was originally proposed to allow outstanding operator permits and authorizations affected to run without power restriction for the remainder of their respective terms. However, the interim action of the Commission to extend restricted radiotelephone operator

permits for the lifetime of the holders makes it necessary to revise this provision. It is now proposed in the case of the Restricted Radiotelephone Operator Permit to provide a period of two years from the effective date of the amendments for persons holding licenses of this class issued prior to, and in force on that date to meet the new requirement. Holders of aircraft radiotelephone operator authorizations in force on the effective date would have the remainder of the term of the authorization (but not more than two years from the effective date in any case) in which to meet the new requirement.

8. From certain comments received it appeared that the operations of some of the ship and aircraft stations might have no international impact and the Commission has decided that the more stringent international operator provisions should not be applied in those cases. The proposal, as modified, would apply to stations operating in the international service<sup>1</sup> and to stations sharing the use of an operating frequency with a foreign station.

9. The proposal, as modified, is set forth below. Because of amendments made to § 13.61 as a result of another proceeding since the original proposal was published it has been necessary to redesignate former paragraph (g) thereof as paragraph (h), and proposed new paragraph (h) thereof as paragraph (i). It has also been necessary to change § 13.61 (h) as a result of certain interim amendments. Authority to issue this proposal is contained in sections 4 (i), 303 (l), and 303 (r) of the Communications Act of 1934, as amended.

10. Any interested person who is of the opinion that the proposed amendments should not be adopted or should not be adopted in the form set forth in the Appendix attached hereto, may file with the Commission on or before July 11, 1955 a written statement or brief setting forth his comments. At the same time, any person who favors the rules as set forth may file a written statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within 15 days from the last day for filing said original comments or briefs. The Commission will consider all comments, briefs and statements presented before taking final action in the matter.

11. In accordance with the provisions of § 1.764 of the Commission's rules, an original and fourteen copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: April 27, 1955.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

<sup>1</sup>International Service: A telecommunication service between offices or stations in different countries or between mobile stations which are not in the same country or are subject to different countries. (As defined in Annex 2 to International Telecommunication Convention, Atlantic City, 1947.)

1. It is proposed to amend § 13.61 (h) of the rules governing Commercial Radio Operators to read as follows:

(h) *Restricted radiotelephone operator permit.* Any station except:

(1) Stations transmitting television, or

(2) Stations transmitting telegraphy by any type of the Morse Code, or

(3) Any of the various classes of broadcast stations other than remote pickup, broadcast STL, and FM intercity relay stations, or

(4) Ship stations licensed to use telephony for communication with Class I coast stations on frequencies between 4000 kc and 30 Mc, or

(5) Radio stations provided on board vessels for safety purposes pursuant to statute or treaty, or<sup>2</sup>

(6) Coast stations other than in the territory of Alaska while employing a frequency below 30 Mc: *Provided*, That the holder of this class of license may not operate any coast station at which the power in the antenna of the unmodulated carrier wave is authorized to exceed 250 watts; or

(7) Ship stations or aircraft stations other than those at which the installation is used solely for telephony: *Provided*, That the holder of this class of license may not operate in international service or on any frequency the use of which is shared with a foreign station, any ship station or aircraft station at which the authorized power in the antenna of the unmodulated carrier wave exceeds 50 watts;

(8) At a ship radar station the holder of this class of license may not supervise or be responsible for the performance of any adjustments or tests during or coincident with the installation, servicing or maintenance of the radar equipment while it is radiating energy: *Provided*, That nothing in this subparagraph shall be construed to prevent any person holding such a license from making replacements of fuses or of receiving type tubes.

*Provided*, That, with respect to any station which the holder of this class of license may operate, such operator is prohibited from making any adjustments that may result in improper transmitter operation, and the equipment is so designed that the stability of the frequencies of the transmitter is maintained by the transmitter itself within the limits of tolerance specified by the station license, and none of the operations necessary to be performed during the course of normal rendition of the service of the station may cause off-frequency operation or result in any unauthorized radiation, and any needed adjustments of the transmitter that may affect the proper operation of the station are regularly made by or under the immediate supervision and responsibility of a person holding a first- or second-class commercial radio operator license, either radio-

<sup>2</sup>Subparagraph (5) was amended on January 19, 1955, to read as shown effective May 2, 1955. Subparagraph (5) formerly read: "(5) Radio stations provided for safety purposes pursuant to treaty on board vessels on the Great Lakes."



telephone or radiotelegraph, who shall be responsible for the proper functioning of the station equipment. (The 50-watt limit imposed by subparagraph (7) of this paragraph is applicable to all restricted radiotelephone operator permits issued on or after the effective date of this amendment and to all permits of this class in force beginning two years from the effective date. "International service" as used in subparagraph (7) of this paragraph is defined as a telecommunication service between offices or stations in different countries or between mobile stations which are not in the same country or are subject to different countries.)

2. Section 13.61 of the rules governing Commercial Radio Operators is proposed to be amended by adding new paragraph (1) as follows:

(1) *Aircraft radiotelephone operator authorization.* Aircraft stations at which the installation is used solely for telephony: *Provided*, That the holder of this class of license may not operate in international service or on any frequency the use of which is shared with a foreign station, any aircraft station at which the authorized power in the antenna of the unmodulated carrier wave exceeds 50 watts: *Provided*, That with respect to any station which the holder of this class of license may operate, (1) such operator is prohibited from making any adjustments that may result in improper transmitter operation, and (2) the equipment is so designed that the stability of the frequencies of the transmitter is maintained by the transmitter itself within the limits of tolerance specified by the station license, and none of the operations necessary to be performed during the course of normal rendition of the service of the station may cause off-frequency operation or result in any unauthorized radiation, and (3) any needed adjustments of the transmitter that may affect the proper operation of the station are regularly made by or under the immediate supervision and responsibility of a person holding a first- or second-class commercial radio operator license, either radiotelephone or radiotelegraph, who shall be responsible for the proper functioning of the station equipment. (The 50-watt limit is applicable to all aircraft radiotelephone operator authorizations in force beginning two years from the effective date of this amendment. "International service" is defined as a telecommunication service between offices or stations in different countries or between mobile stations which are not in the same country or are subject to different countries.)

3. It is proposed to add new § 13.76 to the rules governing Commercial Radio Operators, as follows:

§ 13.76 *Authorized power in the antenna of the unmodulated carrier wave.* (a) The term "authorized power in the antenna of the unmodulated carrier wave", when used in this part to define operating authority under a particular class of operator license with respect to aircraft stations, means authorized power as specified in the aircraft station license.

(b) The term "authorized power in the antenna of the unmodulated carrier wave", when used in this part to define operating authority under a particular class of operator license with respect to ship stations, means:

- (1) "Maximum operating power", or "operating power", or
- (2) "Maximum plate input power to final radio frequency stage" multiplied by an appropriate factor, or
- (3) "Authorized transmitter-power" multiplied by an appropriate factor.

The power of a ship station is specified in the station license or in Part 8 of this chapter by one or more of the terms quoted in subparagraphs (1), (2) and (3) of this paragraph. The factor mentioned in subparagraphs (2) and (3) of this paragraph depends upon the class of radio frequency amplifier used in the last radio stage of the transmitter and upon the operating frequency of the transmitter and shall be in accordance with the following tables:

TABLE I—STATIONS EMPLOYING AMPLITUDE MODULATION

Class of radio-frequency amplifier used in last radio stage of transmitter	Factor	
	Frequencies below 25,000 kc	Frequencies above 25,000 kc
Class C—plate, or plate and screen-grid modulated.....	0.66	0.50
Class C—control, screen, or suppressor-grid modulated.....	.33	.25
Class C—cathode modulated.....	.42	.31
Class B—linear.....	.33	.25
Class BC—high efficiency.....	.56	.41

In the case of a transmitter using a radio-frequency amplifier in its last radio stage of a class other than those listed herein an appropriate factor will be supplied.

TABLE II—STATIONS EMPLOYING FREQUENCY MODULATION

	Factor
Transmitters employing frequency modulation on frequencies above 25,000 kc.....	0.50

[F. R. Doc. 55-3608; Filed, May 3, 1955; 8:51 a. m.]

**INTERSTATE COMMERCE COMMISSION**

**[ 49 CFR Part 91 ]**

[Ex Parte No. 174]

**LOCOMOTIVES OTHER THAN STEAM**

**PROPOSED RULES AND INSTRUCTIONS FOR INSPECTION AND TESTING**

APRIL 20, 1955.

Notice is hereby given of the institution by the Interstate Commerce Commission, under authority of the Locomotive Inspection Act of February 17, 1911, as amended by Acts of March 4, 1915, June 7, 1924, June 27, 1930, April 22, 1940, and May 27, 1947, of an investigation for the purpose of amending the Rules and Instructions for Inspection and Testing of Locomotives other than Steam prescribed by the Commission's order of December 14, 1925, as amended.

*Reasons for investigation.* Since the prescription of rules and instructions

presently in effect for inspection and testing of locomotives other than steam, the introduction and intensive use of Diesel electric locomotives has made it necessary that such rules be modernized to meet the change in conditions and equipment.

*Proposed rules and instructions.* The rules and instructions tentatively proposed to be amended or revised are set forth below. These rules and instructions are subject to any change or changes that may be made as a result of this investigation.

*Written evidence; special rules.* Evidence shall be submitted in written form at the times and in the manner provided for in the Special Rules of Practice contained in Appendix A set forth below.

*Notice to parties in interest.* Notice to the general public will be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection, by filing a copy of the notice with the Director, Division of the Federal Register, and by serving copies on each common carrier by railroad subject to the Interstate Commerce Act and on each national organization of railroad employees.

By the Commission, Division 3.

[SEAL] HAROLD D. McCoy, Secretary.

1. In § 91.201, paragraphs (c) and (d) are added to read as follows:

§ 91.201 *Locomotive unit.* \* \* \*

(c) *Multiple control.* When locomotive units are coupled in multiple control all parts and components of each unit shall respond to control from the enginemen's compartment of the controlling unit.

(d) *Cab alarms.* Means shall be provided whereby alarms and indications of slipping or sliding driving wheels on any unit in a locomotive used in road service will be shown under all conditions in the enginemen's compartment of the controlling unit.

2. In § 91.204, existing text is designated as (a) and a new paragraph (b) is added to read as follows:

§ 91.204 *General precautions—(a) Air brakes.* \* \* \*

(b) *Emergency brake valve.* Each road locomotive unit propelled by power other than steam built on or after January 1, 1956, shall be equipped with a brake pipe valve which is accessible to the fireman when stationed in his usual position in the enginemen's compartment. On car body type units a brake pipe valve shall be attached to the wall adjacent to each end exit door. The words "EMERGENCY BRAKE VALVE" shall be legibly stenciled near each brake pipe valve or shall be shown on a badge plate adjacent thereto. Each road locomotive unit propelled by power other than steam built before January 1, 1956, shall be so equipped the first time said unit receives heavy repairs after January 1, 1956, but not later than December 31, 1957.

3. In § 91.205, paragraphs (a) and (b) are amended and a new paragraph (f) is added to read as follows:

§ 91.205 *Main reservoir system—(a) Safety valve.* (1) The main reservoir system of each unit shall be equipped with at least one safety valve, which shall prevent an accumulation of pressure of more than 15 pounds per square inch above the maximum working air pressure fixed by the chief mechanical officer of the carrier operating the locomotive.

(2) Each unit that has a pneumatically actuated system of power controls shall be equipped with a separate reservoir of air under pressure to be used for operating such controls, other than brake controls, which reservoir shall be provided with means to automatically prevent loss of pressure in event of failure of main reservoir air pressure, shall have storage capacity to permit not less than 3 complete operating cycles of control equipment and shall be so located that it will not be readily susceptible to damage.

(b) *Compressor governor.* A suitable governor shall be provided that will stop and start or unload and load the air compressor within 5 pounds above or below the pressures fixed.

(f) *Oil elimination.* Each air brake system shall by June 30, 1956, be provided with a device in the air compressor discharge line which will effectively prevent passage of oil throughout the system. Such device shall be kept clean and drained before each trip or day's work.

4. In § 91.208, paragraph (a) is amended to read as follows:

§ 91.208 *Cleaning.* (a) Distributing valve, control valve, triple valve, brake application valve, equalizing piston portion, feed and reducing valves, straight air double check valves, transfer valve, safety valves, brake pipe vent valves, relay valves, magnet valves, electro-pneumatic master controller, dirt collectors and filters must be cleaned, repaired and tested as often as conditions require to properly maintain them in a safe and suitable condition for service, and not less frequently than once each 6 month period.

5. In § 91.209, paragraph (b) is amended to read as follows:

§ 91.209 *Piston travel.* \* \* \* (b) *Maximum travel.* When locomotive is standing the maximum brake piston travel shall not exceed the following:

	<i>Inches</i>
Driving wheel brake.....	6
Swivel type truck brake with brakes on more than one truck operated by one brake cylinder.....	7
Swivel type truck brake equipped with one brake cylinder.....	8
Swivel type truck brake equipped with two or more brake cylinders.....	6

Slack adjusters, when used, shall be properly maintained.

6. In § 91.210, the text is amended to read as follows:

§ 91.210 *Foundation brake gear.* Foundation brake gear shall be maintained to the standard for the locomotive and shall be provided with suitable

means to prevent brake rigging from dropping to the track structure in event of failure of brake hanger or other supporting part. Levers, rods, brake beams, hangers and pins shall be of ample strength, and shall not be fouled in any way which will affect the proper operation of the brake. All pins shall be properly secured in place with cotters, split keys, or nuts. Brake shoe must be properly fastened in place and kept approximately in line with the tread of the wheel.

7. In § 91.211, a new paragraph (d) is added as follows:

§ 91.211 *Leakage.* \* \* \* (d) *Control air reservoir.* Leakage from control air reservoir, related piping, and pneumatically operated controls shall not exceed an average of 3 pounds per minute in a test of 3 minutes duration.

8. In § 91.212, paragraphs (a), (f), (g) and (h) are amended and a new paragraph (i) is added as follows:

§ 91.212 *General provisions—(a) Draft and draw gear.* Draft and draw gear, and connections between trucks, and all attachments shall be of ample strength and shall be maintained in a safe and suitable condition for service.

(f) *Automatic couplers with friction or spring draft gear.* Automatic couplers used between units with friction or spring draft gear shall be maintained in such condition that the lost motion in each draft gear assemblage, not absorbed by the springs or friction devices, will not exceed 1/2 inch.

(g) *Automatic couplers without friction or spring draft gear.* Automatic couplers used between units without friction or spring draft gear shall have lost motion kept to a minimum and lost motion between coupler and coupler pocket shall not exceed 1/4 inch in each assemblage. If the couplers are attached by means of pivot pins, the pins shall be removed and inspected not less frequently than once every 6 months and date of last removal and inspection of pins shall be legibly stamped on the heads of pins and all prior dates obliterated.

(h) *Couplers.* M. C. B. contour (1904) couplers measuring 5 1/8 inches or more between point of knuckle and guard arm shall not be continued in service. Types D and E couplers measuring 5 5/16 inches or more between point of knuckle and guard arm shall not be continued in service.

(i) *Immobilized couplers.* Locks of couplers between units shall be immobilized and uncoupling devices shall be made inoperative or removed.

9. In § 91.219, text is amended to read as follows:

§ 91.219 *Driving boxes, shoes, and wedges.* Driving and other journal boxes, shoes, and wedges shall be maintained in safe and suitable condition for service. Broken and loose bearings shall be renewed. Not more than one shim may be used between box and bearing if bearing is pressed in box. Where

shoes and wedges are not provided, total longitudinal clearance between journal box and pedestals shall not exceed 1/4 inch.

10. In § 91.220, text is amended to read as follows:

§ 91.220 *Lateral motion.* The total uncontrolled lateral motion between the hubs of the wheels and boxes, between boxes and pedestals or both, on any pair of wheels shall not exceed the following limits: Truck wheels, 1 inch; driving wheels, more than one pair of wheels, 3/4 inch. These limits may be increased if upon application to the director his investigation shows that conditions require additional lateral motion. The lateral motion shall in all cases be kept within such limits that the driving wheels, rods, crank pins, or armatures will not interfere with other parts of the locomotive.

11. In § 91.221, existing text is amended and designated as (a) and a new paragraph (b) is added to read as follows:

§ 91.221 *Frames and parts—(a) Condition and inspection.* Frames, deck plates, tailpieces, pedestals, braces, body bolsters, transom plates, body center plates and locking devices shall be maintained in safe and suitable condition for service and shall be cleaned and thoroughly inspected each time a unit is in shop for general or heavy repairs but not less frequently than once each 12 months.

(b) *Fire hazard.* Underframe, trucks, fuel tanks and brake rigging shall be kept free of accumulations of oil, grease and debris that would constitute a fire hazard.

12. In § 91.222, a new paragraph (c) is added to read as follows:

§ 91.222 *Spring rigging.* \* \* \* (c) In absence of protective construction, safety hangers shall be provided which will prevent spring planks, spring seats or bolsters from dropping to track structure in event of hanger or spring failure.

13. In § 91.223, paragraph (a) is amended to read as follows:

§ 91.223 *Trucks—(a) Center plates.* Truck center plates shall fit properly and be securely fastened. The male center plate shall extend into the female center plate not less than 3/4 inch. On trucks constructed to transmit tractive effort through center plate or center pin the male center plate shall extend into the female center plate not less than 1 1/2 inches. Center plates shall be securely fastened, properly lubricated and maintained. Maximum lost motion in a center plate assemblage shall not exceed 1/4 inch. These limits may be adjusted if upon application to the director his investigation shows that conditions so require.

14. In § 91.225, text is amended to read as follows:

§ 91.225 *Clearance above top of rail.* No part or appliance of locomotive, except the wheels and flexible nonmetallic

sand pipe extension tips, shall be less than 2½ inches above the top of rail.

15. In § 91.226, paragraph (a) is amended to read as follows:

§ 91.226 *Wheels*—(a) *Tight on axle, mill scale, oil and dirt accumulations.*

(1) Wheels shall be securely pressed on axles except wheels and axles of special design and construction where other proper and safe means are provided for holding the wheels on the axles. Prick punching, shimming wheel fit, or pins driven in ends of axles will not be permitted.

(2) Mill scale shall be removed from plate and entire wheel then inspected before application to axle. Wheels shall be kept free from accumulations of oil, grease, or other material that could conceal cracks or other defects.

\* \* \* \* \*

16. In § 91.227, paragraph (h) is amended and new paragraph (o) is added to read as follows:

§ 91.227 *Defects.* \* \* \*

(h) *Cracked or loose.* Wheel cracked from the wheel fit outward; cracked tread; cracked flange; cracked plate; one or more cracked brackets; wheel loose on axle.

\* \* \* \* \*

(o) *Fusion welding.* Fusion welding shall not be used on tires or rolled steel wheels including building up of worn flanges, flat spots, shelled-out spots or for repair of cracks.

17. In § 91.229, paragraphs (b), (d), (f) and (g) are amended and new paragraphs (h) and (i) are added to read as follows:

§ 91.229 *Cabs and aprons.* \* \* \*

(b) *Fastening and bracing, windows and doors.* (1) Cabs and superstructures shall be securely attached and braced. Cab windows shall be so located and maintained that the enginemen may have a clear view of track and signals from their usual and proper positions in the cab. All glass used in doors and windows of enginemen's compartments shall be of the shatter-proof type. Units not presently so equipped shall have shatter-proof glass installed at the first general repair but not later than December 31, 1956.

(2) All enginemen's compartment doors shall be equipped with means to prevent sudden closing and to secure doors in open and closed positions.

\* \* \* \* \*

(d) *Floors.* Deck plates and floors of cabs, passageways, and compartments shall be kept free from oil, water, waste, or any obstruction that will create unnecessary peril. Deck plates and metal floors shall be properly roughened or other provisions made to afford secure footing.

\* \* \* \* \*

(f) *Heating and ventilation.* (1) Enginemen's compartments shall be provided with heating arrangements that will maintain therein a temperature of not less than 50° F. Temperature shall be taken at substantially the center of compartment under normal winter weather conditions, under the running

conditions of the locomotive, with doors and windows closed.

(2) Operating cabs or compartments shall be provided with proper ventilation.

(g) *Passage between units.* Safe and suitable means shall be provided for passage between units.

(h) *Fusee and torpedo containers.* Containers shall be provided for carrying fusees and torpedoes. These containers may be separate, or a single container with suitable partition to separate the fusees from the torpedoes.

(i) *Fan protection.* Fan openings in hazardous locations shall be properly protected.

18. In § 91.232, text is amended to read as follows:

§ 91.232 *Classification or marker lights, accessibility.* Each locomotive shall be provided with such classification and marker lamps as may be required by the rules of the railroad company operating the locomotive. When such lamps are used they shall be kept clean. The classification lights shall be electrically lighted and adequate head clearance shall be provided. Necessary safe and suitable steps, toe boards, handrails and/or handholds shall be provided in order to make cab windows, headlights, classification lights, marker lights, pantographs and trolleys accessible for attention and care.

19. In § 91.247, paragraph (a) is amended to read as follows:

§ 91.247 *Jumpers; cable connections*—(a) *General precaution.* Jumpers or cable connections between locomotives or units shall be so located or guarded to prevent unnecessary peril, and shall not be allowed to hang with one end free.

\* \* \* \* \*

20. In § 91.249, text is amended to read as follows:

§ 91.249 *Motors and generators.* (a) Motors and generators shall be securely fastened in place. Axle collars shall be maintained tight on the axle. Axle-bearing and armature-bearing caps shall be securely bolted in place. Motors or generators with any of the following defects shall not be continued in service: Broken and loose or excessively worn bearings; excessive sparking or flashing over at commutator; defective collector ring, brush holder, yoke or insulator; loose or broken connection; armature striking pole piece; short circuited armature or field coil; loose or broken armature coil bands or wedges.

(b) Motors, generators and their related wiring shall be maintained free from oil and sediment that could cause flash or fire hazard.

21. In § 91.251, text is amended to read as follows:

§ 91.251 *Rheostats and resistors.* Rheostats and resistors shall be maintained free from accumulations of dirt or extraneous matter.

22. In § 91.255, paragraph (b) is amended to read as follows:

§ 91.255 *Fuel tanks and piping; safety cut-out valve.* \* \* \*

(b) A safety cut-out valve shall be provided in the fuel line adjacent to the supply tank, or in other safe location, which will automatically close when tripped. The cut-out valves shall be designed for hand operation from both outer sides of the unit and from inside of the enginemen's compartment. Operating handle locations shall be designated. Means shall be provided so that cut-out valves may be reset without hazard.

23. In § 91.259, text is amended to read as follows:

§ 91.259 *Exhaust gases.* Exhaust gases shall be released entirely outside of cab or other compartments. Exhaust stacks shall be of sufficient height or other means provided which will prevent entry of exhaust gases into enginemen's compartments under usual conditions of operation.

24. In § 91.262, new text consisting of paragraphs (a), (b), and (c) is added to read as follows:

§ 91.262 *Internal combustion engines and controls*—(a) *Condition, defect tag.* Internal combustion engines shall be maintained in a safe and suitable condition for service. Whenever any internal combustion engine has been shut down because of defects and the unit is continued in service a distinctive tag giving reason for the shut-down shall be conspicuously attached near the engine starting control and shall remain attached until repairs have been made.

(b) *Cleanliness.* All engines and accessories shall be kept reasonably free from oil and water leaks and from accumulations of oil or debris.

(c) *Warning devices.* Temperature and pressure alarms, controls and related switches shall be properly maintained.

25. In § 91.303, paragraph (b) is amended to read as follows:

§ 91.303 *Boiler number; badge plate, location.* \* \* \*

(b) A metal badge plate showing the name and boiler number and safe working pressure shall be attached to each boiler. The badge plate on each steam boiler, except those boilers of the forced circulation type, shall be provided with a line indicating the lowest permissible water level and shall be attached to the boiler adjacent to the water glass. The badge plate on each hot-water boiler shall be attached to the boiler adjacent to the firing opening. If boiler is lagged, the lagging and jacket shall be cut away so that plate can be seen.

26. In § 91.307, new paragraph (c) has been added to read as follows:

§ 91.307 *Fusible plugs; low water alarm; protective devices.* \* \* \*

(c) All other alarms and protective devices with which the boiler is equipped shall be inspected and tested at least once every 3 months, and record of such inspections and tests maintained by the railroad using the boiler.

27. In § 91.308, text is amended and designated (a) and paragraph (b) is added to read as follows:

§ 91.308 *Exterior boiler inspection; testing of controls, safety devices.* (a) The exterior of every boiler and steam separator shall be thoroughly inspected before it is put into service, and whenever the jacket and lagging, or casing, are removed. The jacket and lagging shall be removed at least once every 5 years from internally fired boilers, and from pressure parts of other boilers, and a thorough inspection made of the entire exterior surfaces while under hydrostatic pressure. The jacket and lagging shall also be removed whenever on account of indication of leaks the United States inspector or the railroad company's inspector considers it desirable or necessary.

(b) Before a boiler that has been out of service for 3 consecutive months or more is again used all automatic controls and safety devices shall be tested; any found defective shall be repaired and statement to effect that said devices are in proper working condition made on back of Form No. 1-B.

28. In § 91.316, paragraph (a) is amended to read as follows:

§ 91.316 *Safety valves—(a) Capacity, connection to boiler, location.* Every steam boiler shall be equipped with at least two safety valves and every hot-water boiler shall be equipped with at least one water relief valve, the capacity of which shall be sufficient to prevent, under any conditions of service, an accumulation of pressure of more than 5 pounds above the allowed working pressure. The safety valves shall be connected with the boiler independent of any other connection, and located as closely to the boiler as may be consistent without discharging inside of cab. Water relief valves may be mounted on the expansion tank of hot-water boilers provided no valves are interposed between the expansion tank and the boiler. Sufficient clearance to prevent damage shall be provided where safety or relief valves or connections pass through cab structure. Ends of safety valve discharge lines shall be so located or protected as to not constitute a hazard from discharged steam.

29. In § 91.317, paragraphs (a), (b), and (c) are amended and new paragraphs (g), (h), and (i) are added to read as follows:

§ 91.317 *Water glass and gage cocks—(a) Lowest reading; danger line.* Every steam boiler, except those of the forced circulation type, shall be equipped with at least one water glass, and 3 gage cocks which can be easily opened and closed by hand. The lowest gage cock and the lowest reading of the water glass and the line on the badge plate shall correspond and be not less than 2 inches above the danger line. The danger line shall be that at which there will be no danger of overheating any part of the boiler. The danger line for vertical fire-tube boilers shall be not less than one-half the length of the tube above the lower tube sheet; and for

vertical submerged tube boilers, the upper surface of the top tube sheet.

(b) *Water glass valves.* All water glasses shall be supplied with two valves, one in the upper and one in the lower connection to the boiler, and a drain valve, so constructed and located that the valves can be easily opened and closed by hand. Drain pipes shall discharge below decks or into a drain pipe so arranged to prevent splash from steam and water.

(c) *Cleaning.* The spindles of all gage cocks, fill-test valves and water-glass valves shall be removed and cocks and valves thoroughly cleaned each time the boiler is washed.

(g) *Drip pans.* Drip pans shall be provided for gage cock discharge so arranged to prevent splash from steam and water.

(h) *Water flow indicator.* Forced circulation boilers of the spill-over type not equipped with water glass and gage cocks shall be equipped with a visual return water flow indicator.

(i) *Fill test valve.* Forced circulation boilers shall be equipped with a fill-test valve or other means of determining when the boiler is filled with water.

30. In § 91.320, paragraph (b) is amended to read as follows:

§ 91.320 *Boiler washing.* \* \* \* (b) *Record.* An accurate record of all boiler washouts shall be kept in the office of the railroad company and a copy of the last record kept in the boiler compartment. The following information must be given on the day that the boiler is washed: Number of boiler; number of locomotive unit on which it is mounted; date of washout; signature of boiler washer or inspector who knows that boiler was washed; statement if spindles of gage cocks, fill-test valves, test cocks and water-glass valves were removed and cocks and valves cleaned; signature of the inspector or employee who removed the spindles and cleaned the cocks and valves.

31. In § 91.321, new paragraphs (d) and (e) are added to read as follows:

§ 91.321 *Leaks.* \* \* \* (d) *Pipes and valves in cabs.* In new construction, or when renewals are made of iron or steel pipes in cabs that are subject to boiler pressures of more than 150 pounds per square inch, commercially designated extra strong pipe and extra heavy valves and fittings shall be used.

(e) *Defect tag.* Whenever any boiler or steam generator has been shut down because of defects and the unit in which it is installed is continued in service, a distinctive tag giving reasons for the shut-down shall be conspicuously attached near the starting controls and shall remain attached until repairs have been made.

32. In § 91.323, paragraph (b) is amended to read as follows:

§ 91.323 *Fuel tanks and piping.* \* \* \* (b) *Safety cut-out valve.* A safety cut-out valve shall be provided in the fuel-line adjacent to the supply tank, or in other safe location, which will auto-

matically close when tripped. The cut-out valves shall be designed for hand operation from both outer sides of the unit and from inside of the enginemen's compartment. Operating handle locations shall be designated. Means shall be provided so that cut-out valves may be reset without hazard.

33. In § 91.327, text is amended and designated as (a) and new paragraph (b) is added to read as follows:

§ 91.327 *Oil burning fireboxes—(a) Venting boilers; stack gases.* Means shall be provided for expelling accumulated gases from fire box of oil-burning boilers before fire is lighted. Products of combustion shall be released entirely outside of cab or other compartments. Boilers shall be so arranged and exhaust stacks shall be of sufficient height or other means provided which will prevent entry of products of combustion into enginemen's compartments under usual conditions of operation.

(b) *Remote ignition.* Remotely controlled means shall be provided to electrically ignite oil fired boilers.

34. In § 91.334, paragraph (d) is amended to read as follows:

§ 91.334 *Extensions.* \* \* \* (d) *Brake equipment.* Cleaning of distributing valve, control valve, triple valve, brake application valve, equalizing piston portion, feed and reducing valves, straight air double check valves, transfer valve, safety valves, brake pipe vent valves, relay valves, magnet valves, electro-pneumatic master controller, dirt collectors and filters, as required by Rule No. 208 (a), will be due after 6 calendar months' service, provided such service is performed within 12 consecutive months.

#### APPENDIX A—SPECIAL RULES OF PRACTICE APPLICABLE IN DOCKET EX PARTE NO. 174

In addition to the General Rules of Practice, the following special rules will govern this proceeding.

1. *Submission of evidence in written form with affidavit attached.* The Commission desires that all evidence be submitted in written form with affidavits attached. Exhibits may be attached to the written statements, and such exhibits should conform to the general rules of practice, particularly to Rules 81 to 84, inclusive. All evidence of each witness that is submitted in exhibit form should, so far as practicable, be incorporated in a single exhibit. The written evidence, with or without exhibits attached, will be referred to as verified statements, and each verified statement will be assigned a serial number by the Commission.

2. *Evidence-in-chief.* Evidence-in-chief of all parties should be submitted in the form of verified statements as provided in paragraph 1. Such verified statements, with accompanying exhibit or exhibits, should be made available to the Commission by filing 25 copies thereof with the Secretary of the Commission on or before June 1, 1955. Copies of such verified statements of the railroads should be made available to the parties by mailing a copy to any person who duly makes a request therefor to W. M. Keller, Association of American Railroads, 59 East Van Buren Street, Chicago 5, Ill., on or before June 1, 1955. Parties other than the railroads will be expected to furnish the railroads with twenty-five (25) copies of all

verified statements, such copies to be sent to W. M. Keller at the address above specified, and to also furnish a copy thereof to any other party who may make a request therefor to the Secretary of the Commission on or before May 16, 1955. A list of the parties upon whom copies of verified statements should be served will be furnished the parties by the Secretary.

3. *Objections to evidence.* Notice of objections to receipt in evidence of any verified statement or any part thereof should be filed with the Secretary of the Commission on or before June 15, 1955. If the evidence is submitted on behalf of the railroads, a copy of

the notice should be immediately mailed to W. M. Keller; if the evidence is submitted on behalf of any other party, a copy of the notice should be immediately mailed to the witness or his attorney.

4. *Rebuttal evidence.* Evidence on rebuttal by any party must be designated as such, and filed with the Secretary of the Commission on or before June 30, 1955, even if the original evidence is objected to as provided in paragraph 3 hereof. Its presentation and distribution will be governed by the rules set forth in paragraphs 1 and 2 hereof.

5. *Cross-examination of witnesses.* If cross-examination of a witness is desired

by any party written request therefor must be given to the Secretary of the Commission and to the witness, or his authorized attorney on or before August 15, 1955. The Commission will fix the time and place for cross examination.

6. *Record.* The evidence presented and admitted pursuant to the provisions of the foregoing paragraphs of these special rules shall constitute the entire record in these proceedings upon which decision will be made.

[F. R. Doc. 55-3528; Filed, May 3, 1955; 8:46 a. m.]

## NOTICES

### DEPARTMENT OF AGRICULTURE

#### Office of the Secretary

##### FLORIDA

#### DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it is determined that in the following named additional counties in the State of Florida a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

##### FLORIDA

Bay. Leon.  
Calhoun. Walton.  
Jefferson.

Pursuant to the authority as set forth above, such loans will not be made in the above-named counties in the State of Florida after December 31, 1955, except to borrowers who previously received such assistance.

Done at Washington, D. C., this 28th day of April 1955.

[SEAL] TRUE D. MORSE,  
Acting Secretary.

[F. R. Doc. 55-3595; Filed, May 3, 1955; 8:49 a. m.]

##### NORTH CAROLINA

#### DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2(a)), as amended, it is determined that in the following named additional counties in the State of North Carolina a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

##### NORTH CAROLINA

Avery. Mitchell.  
Haywood. Yancey.

Pursuant to the authority as set forth above, such loans will not be made in the above-named counties in the State of North Carolina after December 31, 1955, except to borrowers who previously received such assistance.

Done at Washington, D. C., this 28th day of April 1955.

[SEAL] TRUE D. MORSE,  
Acting Secretary.

[F. R. Doc. 55-3596; Filed, May 3, 1955; 8:49 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11202-11204; FCC 55-518]

MINERS BROADCASTING SERVICE, INC.,  
ET AL.

#### ORDER AMENDING ISSUES

In re applications of Miners Broadcasting Service, Inc., Ambridge, Pennsylvania, Docket No. 11202, File No. BP-9102; Louis Rosenberg, Tarentum, Pennsylvania, Docket No. 11203, File No. BP-9192; Theodore H. Oppgaard and Carl R. Lee, d/b as Somerset Broadcasting Company, Painesville, Ohio, Docket No. 11204, File No. BP-9358; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955;

The Commission having under consideration (1) a petition filed by Miners Broadcasting Service, Inc., on January 25, 1955, requesting the Commission to dismiss the application of Somerset Broadcasting Company because of its failure to comply with § 3.28 (c) of the Commission's rules and regulations; (2) supplement to the petition filed January 31, 1955; (3) an opposition to the petition filed on February 21, 1955, by Somerset Broadcasting Company; (4) an opposition to the petition and an alternative request to enlarge issues filed February 21, 1955, by Chief, Broadcast Bureau; and (5) reply to opposition of Somerset Broadcasting Company and request to enlarge issues filed February 28, 1955, by Miners Broadcasting Service, Inc.;

It appearing that Miners Broadcasting Service, Inc., by its above-described

petition requested a dismissal of the application of Somerset Broadcasting Company on the grounds that Somerset's proposal fails to comply with § 3.28 (c) of the Commission's rules, but that, in its reply filed February 28, 1955, Miners abandons its original petition to dismiss and now requests that the Commission enlarge the issues to include the issue requested by the Broadcast Bureau;

It further appearing that, in its reply, Miners also requests that the issues be either amended or enlarged to determine the service area of the proposed Somerset station;

It further appearing that the evidence as to coverage of the Somerset proposal may be determined on the basis of the specified issues; (see Evangeline B/cing Co., Inc. (KVOL), 7 RR 735, and Mount Vernon Broadcasting Co., 4 RR 1471.)

It is ordered, That the above-entitled petition of Miners Broadcasting Service, Inc., filed January 25, 1955, is denied; that the request of the Broadcast Bureau that an issue numbered 3 (a) be added is granted; and that the request of Miners Broadcasting Service, Inc. made in reply, filed February 28, 1955, is granted insofar as it supports the Broadcast Bureau's request for enlargement of issues; in all other respects said request is denied; and

It is further ordered, That the issues herein be enlarged by the addition of the following issue:

3 (a) To determine whether the installation and operation of the station proposed by Somerset Broadcasting Company would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to providing the required minimum of interference-free service within its normally protected daytime contour (0.5 mv/m) because of interference from Station WBNS, Columbus, Ohio.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3609; Filed, May 3, 1955; 8:51 a. m.]

[Docket No. 11371; FCC 55-498]

**DEEP SOUTH BROADCASTING CO. (WSLA)**

**ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES**

In re application of Deep South Broadcasting Company (WSLA), Selma, Alabama, Docket No. 11371, File No. BMPCT-2100; for modification of construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 27th day of April 1955;

The Commission having under consideration the above-entitled application requesting modification of construction permit (Channel 8, Selma, Alabama) to move transmitter site to a location 50 miles from Selma, and 23 miles from Montgomery, Alabama; to locate main studio at the transmitter site; to increase the height of the antenna structure to 1,993 feet above ground; and to change transmitter and antenna; and

It appearing that a majority of the voting members of the Airspace Subcommittee of the Air Coordinating Committee in Washington, D. C., voted to disapprove the tower site and height proposal set forth in the above-entitled application on the ground that said proposal would, in substance, result in an unacceptable hazard to air operations due to the "excessive height"; and

It further appearing that, pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, the above-named applicant was advised by letter dated March 9, 1955, of all objections to the above application; that the Commission was unable to determine that a grant of said application would be in the public interest; and was afforded an opportunity to reply; and

It further appearing that upon due consideration of the above-entitled application, the Commission's letter of March 9, 1955, and the applicant's reply thereto filed March 29, 1955, the Commission finds that the above-named applicant is legally and financially qualified to construct the television station proposed in the above-entitled application and is technically and otherwise so qualified except as to the matters specified in the issues set forth below;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing to commence at 10:00 a. m. on the 27th day of May 1955, in Washington, D. C., upon the following issues:

1. To determine whether there is a reasonable possibility that the tower height and location proposed in the above-entitled application may constitute a menace to air navigation.

2. To determine, in the light of the proposed move of transmitter site 50 miles from Selma and 23 miles from Montgomery, Alabama, whether the proposed operation is designed to serve the particular needs of Selma, Alabama and its surrounding areas.

3. To determine whether the showing made by the applicant to locate its main studio at the proposed transmitter site is sufficient to warrant a waiver by the

Commission of the provisions of § 3.613 (a) of the Commission's rules.

4. To determine whether, on the basis of the evidence adduced with respect to the above issues, a grant of the above-entitled application would serve the public interest, convenience and necessity.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3610; Filed, May 3, 1955; 8:51 a. m.]

[Docket Nos. 11372, 11373; FCC 55-501]

**AIRCALL, INC., AND TELEPHONE MESSAGE BUREAU, INC.**

**ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES**

In re applications of Aircall, Inc., Cleveland and Akron, Ohio, Docket No. 11372, File No. 1314-C2-P-55; The Telephone Message Bureau, Inc., Cleveland, Ohio, Docket No. 11373, File No. 1330-C2-R-55; for construction permit and license renewal, respectively, in the Domestic Public Land Mobile Radio Service.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 27th day of April 1955;

The Commission, having under consideration the above-entitled application of Aircall, Inc., for a construction permit in the Domestic Public Land Mobile Radio Service to establish a one-way signaling system on 35.58 Mc. with base stations at Cleveland and Akron, Ohio, and the above-entitled application of The Telephone Message Bureau, Inc. for renewal of its license for station KQC882, which is authorized to render one-way signaling service on 35.58 Mc. under a Domestic Public Land Mobile Radio Service license (File No. 1330-C2-L-54) which was issued for a term ending April 1, 1955; and

It appearing that § 6.409 of the Commission's rules governing the Domestic Public Land Mobile Radio Service contemplates making frequency assignments to stations in this service only in such a manner as to ensure the rendition of communication service on an interference-free basis and the above-entitled applications for station authorizations to operate in the same geographical area are mutually exclusive; and

It further appearing that the Commission has advised each of the above-entitled applicants and their respective counsel, by letters of February 23, 1955, pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, as to the reasons why such applications cannot be granted without hearing, and that replies have been received from each of the applicants, and that said replies have been considered; and

It further appearing that each of the applicants herein is legally, financially and technically qualified to be a licensee of the service involved herein;

It is ordered, That, pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at the offices of the Commission in Washington, D. C., commencing at 10:00 a. m. on June 14, 1955, upon the following issues:

(1) To determine the nature and extent of the public need for one-way signaling service in Cleveland, Ohio.

(2) To determine the nature and extent of the public need for one-way signaling service in Akron, Ohio.

(3) To determine the facts with respect to the proposed facilities, personnel, rates, regulations, practices and services of Aircall, Inc. for Cleveland and Akron, Ohio.

(4) To determine the facts with respect to the facilities, personnel, rates, regulations, practices and services of station KQC882 licensed to The Telephone Message Bureau, Inc. at Cleveland, Ohio.

(5) To determine the area and population proposed to be served by the facility of each applicant.

(6) To determine, in the light of the evidence adduced on the foregoing issues, whether the public interest, convenience or necessity would be served by a grant of the application of Aircall, Inc., or the license renewal application of The Telephone Message Bureau, Inc.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3611; Filed, May 3, 1955; 8:52 a. m.]

[Docket No. 11381; FCC 55-513]

**GREATER SOUTH BROADCASTING CO., INC.**

**ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES**

In re application of Greater South Broadcasting Co., Inc., Atlanta, Georgia, Docket No. 11381, File No. BP-9604; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955;

The Commission having under consideration the above-entitled application of Greater South Broadcasting Co., Inc., for a construction permit for a new standard broadcast station to operate on 1460 kilocycles with a power of 1 kilowatt, daytime only, at Atlanta Georgia;

It appearing that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with Station WPNX, Phenix City, Alabama-Columbus, Georgia; and otherwise may not comply with the Standards of Good Engineering Practice, particularly with reference to adequate coverage of the city sought to be served; and

It further appearing that pursuant to section 309 (b) of the Communications

Act of 1934, as amended, the subject applicant was advised by letter dated March 10, 1955, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing that a timely reply to the Commission's letter was filed by the applicant;

It further appearing that in a letter dated March 29, 1955, WPNX stated that it would appear at a hearing on the subject application; and

It further appearing that the Commission, after consideration of the replies, is of the opinion that a hearing is necessary;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would be served by the operation of the subject proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the subject proposed operation would involve interference with Station WPNX, Phenix City, Alabama-Columbus, Georgia, or any other existing standard broadcast station, and, if so, the nature and extent of such interference.

3. To determine whether the installation and operation of the subject proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to adequate coverage of the city sought to be served.

4. To determine whether, in light of the evidence adduced pursuant to the foregoing issues, the subject proposed operation would serve the public interest, convenience and necessity.

It is further ordered, That Community Broadcasting Co., Inc., licensee of Station WPNX, Phenix City, Alabama-Columbus, Georgia, is made a party to the proceeding.

Released: April 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,  
MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3612; Filed, May 3, 1955; 8:52 a. m.]

[Amdt. 0-4; FCC 55-504]

CHIEF ENGINEER

DELEGATION OF AUTHORITY TO ACT ON REQUESTS FOR EXEMPTION FROM STATION IDENTIFICATION REQUIREMENTS

In the matter of amendment of Part 0 to delegate authority to Chief Engineer to act on requests for exemption from station identification requirements filed under § 5.152; Amdt. 0-4.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of April 1955;

The Commission having under consideration the delegation to the Chief Engineer to act on requests for exemption from station identification requirements filed under § 5.152; and

It appearing, that § 5.152 provides for such exemption; and

It further appearing, that the amendment herein ordered is procedural in nature and therefore, compliance with the public rule making procedures required by sections 4 (a) and (b) of the Administrative Procedure Act is not required;

It is ordered, Pursuant to sections 4 (i) and 303 (r) of the Communications Act, as amended, and section 3 (a) of the Administrative Procedure Act that Part 0 of the Commission's rules is hereby amended, effective immediately, by adding subparagraph (15) to paragraph (c) of section 0.331 to read as follows:

(15) Request for exemption from station identification requirements.

Call letters	Location	Power (kw)	Antenna	Schedule	Class	Proposed date of change or commencement of operation
New.....	Consolacion del Sur, Pinar del Rio.	610 kilocycles	ND	U	III	Provisional assignment.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3615; Filed, May 3, 1955; 8:53 a. m.]

[Mexican Change List No. 178]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

APRIL 4, 1955.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying the appendix containing Assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power	Antenna	Schedule	Class	Probable date of change or commencement of operation
XELO....	Ciudad Juarez, Chihuahua (change in call letters from XEKA).	800 kilocycles 150 kw		U	I-A	Apr. 2, 1955
XEDF....	Nuevo Laredo, Tamaulipas (reduce daytime power).	980 kilocycles 2 kw D/1 kw N		U	III-A	Do.
XEJJ....	Jalapa, Veracruz (change in call letters from XEJW).	1130 kilocycles 10 kw	DA-N	U	II	Do.
XEFD....	Rio Bravo, Tamaulipas (increase power).	1170 kilocycles 5 kw D	ND	D	II	July 2, 1955
XEAX....	Oaxaca, Oaxaca (increase daytime power).	1270 kilocycles 1 kw D/500 w N		U	III-B	Do.
XEDE....	Saltillo, Coahuila (increase daytime power).	1400 kilocycles 1 kw D/250 w N		U	IV	Do.
XEBS....	Mexico, D. F. (increase daytime power).	1410 kilocycles 5 kw D/1 kw N		U	III-A	Do.
XERF....	Villa Acuna, Coahuila (increase power).	1570 kilocycles 250 kw	ND	U	I-A	Do.
XEMN....	Morelia, Michoacan (now in operation).	1580 kilocycles 500 w D		D	II	Mar. 14, 1955

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3616; Filed, May 3, 1955; 8:53 a. m.]

Released: April 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,  
MARY JANE MORRIS,  
Secretary.

[F. R. Doc. 55-3614; Filed, May 3, 1955; 8:53 a. m.]

[Cuba Change List No. 3]

CUBAN BROADCAST STATIONS

NOTIFICATION, CHANGES, MODIFICATION AND DELETIONS

MARCH 15, 1955.

Notification of new Cuban Radio Stations, and of changes, modification and deletions of existing stations, in accordance with Part III, section F, of the North American Regional Broadcasting Agreement, Washington, D. C., 1950.

**CERTAIN U. S. PASSENGER VESSELS  
EXEMPTION FROM RADIO PROVISIONS**

In the matter of (1) Renewal of exemption of all United States passenger vessels of less than 100 gross tons, not subject to the radio provisions of the Safety Convention, from the radio provisions of Title III, Part II of the Communications Act of 1934, as amended, when navigated on voyages in the open sea not more than 20 nautical miles from the nearest land in waters lying between: (a) Hog Island, Virginia, and Fire Island Light, New York; or (b) Hillsboro Light and Triumph Reef Beacon, Florida; or (c) Naples, Florida, and Brownsville, Texas; or (d) Point Conception, California, and Point Descanso or the Coronado Islands, Mexico; or (e) Salt Point and Point Sur, California; and (2) renewal of exemption of all United States passenger vessels of a tonnage up to and including 15 gross tons, not subject to the radio provisions of the Safety Convention, from the radio provisions of Title III, Part II of the Communications Act of 1934, as amended, when navigated on voyages in the open sea not more than 20 nautical miles from the nearest land.

The Commission having under consideration the above-captioned matters; and

It appearing that section 352 (b) (3) of the Communications Act of 1934, as amended, provides that the Commission may, if it considers that the route or the conditions of the voyage or other circumstances are such as to render a radio installation unreasonable or unnecessary for the purpose of Title III, Part II of the act, exempt from the radio provisions of Title III, Part II, passenger vessels of a tonnage of less than 100 gross tons not subject to the radio provisions of the Safety Convention; and

It further appearing that the Commission has heretofore granted and renewed exemption for specific periods to all United States passenger vessels of less than 100 gross tons, not subject to the radio provisions of the Safety Convention, when navigated not more than 20 nautical miles from the nearest land on voyages in the open sea in waters lying in the individual areas described in (1) above, and that the exemptions currently in force expire on May 13, 1955; and

It further appearing that the Commission has heretofore granted and renewed exemption for specific periods to all United States passenger vessels of a tonnage up to and including 15 gross tons, not subject to the radio provisions of the Safety Convention, when navigated not more than 20 nautical miles from the nearest land on voyages in the open sea and that the exemption currently in force expires on May 13, 1955; and

It further appearing that the passenger vessels described under (1) and (2) above, come within the class of vessels which may be granted exemption under section 352 (b) (3) of the Communications Act of 1934, as amended; and

It further appearing that there is no information before the Commission tending to show that the routes, or the conditions of the voyages of any of the vessels in question have changed sub-

stantially since the ships were first granted exemption, or that they will change substantially during the period for which the instant exemptions are under consideration for renewal;

It is ordered, This 26th day of April 1955, pursuant to section 352 (b) (3) of the Communications Act of 1934, as amended, that all United States passenger vessels of a tonnage of less than 100 gross tons, not subject to the radio provisions of the Safety Convention are exempt from the radio provisions of Title III, Part II of the Communications Act of 1934, as amended, for an additional period not to extend beyond May 13, 1956, when navigated on voyages in the open sea in waters lying between:

(a) Hog Island, Virginia, and Fire Island Light, New York; or

(b) Hillsboro Light and Triumph Reef Beacon, Florida; or

(c) Naples, Florida, and Brownsville, Texas; or

(d) Point Conception, California, and Point Descanso or the Coronado Islands, Mexico; or

(e) Salt Point and Point Sur, California;

*Provided*, That during the course of the voyages the vessels will be navigated not more than 20 nautical miles from the nearest land.

*It is further ordered*, This 26th day of April 1955, pursuant to section 352 (b) (3) of the Communications Act of 1934, as amended, that all United States passenger vessels of a tonnage up to and including 15 gross tons, not subject to the radio provisions of the Safety Convention, are exempt from the radio provisions of Title III, Part II of the Communications Act of 1934, as amended, for an additional period not to extend beyond May 13, 1956; *Provided*, That during the course of the voyages the vessels will be navigated not more than 20 nautical miles from the nearest land.

It is further ordered, That these exemptions may be terminated at any time without hearing if, in the Commission's discretion, the need for such action arises.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
*Secretary.*

[F. R. Doc. 55-3613; Filed, May 3, 1955;  
8:52 a. m.]

**FEDERAL POWER COMMISSION**

[Docket No. G-8303]

R. M. TUTTLE PIPE LINE

NOTICE OF APPLICATION AND DATE OF  
HEARING

APRIL 28, 1955.

Take notice that R. M. Tuttle, d/b/a R. M. Tuttle Pipe Line (Applicant), an individual whose address is 212 East Broadway, Cushing, Oklahoma, filed on December 27, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully repre-

sented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas to Cities Service Gas Company which will transport and sell the gas so received, commingled with its other gas supplies, in interstate commerce. Applicant will obtain the natural gas from supplies of Texas Pacific Coal and Oil Company produced in the Cottingham Field, Payne County, Oklahoma. Applicant will transport the gas from the point of purchase through approximately 4.5 miles of 4-inch pipeline all in Payne County, Oklahoma.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 24, 1955, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 17, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,  
*Secretary.*

[F. R. Doc. 55-3585; Filed, May 3, 1955;  
8:47 a. m.]

**INTERSTATE COMMERCE  
COMMISSION**

[Notice 58]

MOTOR CARRIER APPLICATIONS

APRIL 29, 1955.

Protests, consisting of an original and two copies, to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the FEDERAL REGISTER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and State address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241). Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the general rules of practice of the Commission (49 CFR 1.40), protests shall



include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters and things, relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in the form of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, prehearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operation of motor carrier properties sought to be acquired in an application under section 5 (a) will not be disposed of sooner than 10 days from the date of publication of this notice in the FEDERAL REGISTER. If a protest is received prior to action being taken, it will be considered.

#### APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 263 Sub 71, filed March 28, 1955, GARRETT FREIGHTLINES, INC., 2055 Pole Line Road, P. O. Box 349, Pocatello, Idaho. Applicant's attorney: Maurice H. Greene, P. O. Box 1554, Boise, Idaho. For authority to operate as a common carrier, over irregular routes, transporting: *General commodities, including Class A and B explosives, and commodities requiring special equipment, but excluding articles of unusual value, livestock, automobiles, fresh fish, motion picture films, household goods as defined by the Commission, commodities in bulk, commodities requiring refrigeration, and those injurious or contaminating to other lading, between Sacramento, Calif., on the one hand, and, on the other, points in San Joaquin and Sacramento Counties, Calif.*

NOTE: Applicant states that it holds authority under certificate No. MC 263 Sub 56 to transport the commodities covered by the instant application, over irregular routes, between Stockton, Calif., on the one hand, and, on the other, points in San Joaquin and Sacramento Counties, Calif. The instant application seeks authority to utilize the point of Sacramento as the point of joinder between its authorized regular routes and the irregular route authority covered by its Certificate No. MC 263 Sub 56, in addition to the authorized joinder point of Stockton, Calif. Applicant is authorized to conduct operations in California, Colorado, Idaho, Montana, Nevada, Arizona, New Mexico, Oregon, and Utah.

No. MC 263 Sub 72, filed March 28, 1955, GARRETT FREIGHTLINES, INC., 2055 Pole Line Road, P. O. Box 349, Pocatello, Idaho. Applicant's attorney: Maurice H. Greene, P. O. Box 1554, Boise, Idaho. For authority to operate as a common carrier, over regular routes, transporting: *Class A and B explosives, including ammunition, between Salt Lake City, Utah, and Wells, Nev., over U. S. Highway 40, serving no intermediate points, as an alternate or connecting route for operating convenience*

only, in connection with carrier's regular route operations, (a) between Salt Lake City, Utah, and Brigham, Utah, over U. S. Highway 91, (which is a portion of carrier's regular route operations between Butte, Mont., and San Bernardino, Calif.), (b) between Brigham, Utah, and Burley, Idaho, over U. S. Highway 30S, (c) between Burley, Idaho, and Twin Falls, Idaho, over U. S. Highway 30, (which is a portion of carrier's regular route operations between Pocatello, Idaho, and Buhl, Idaho), and (d) between Twin Falls, Idaho and Wells, Nev., over U. S. Highway 93 (which is a portion of carrier's regular route operations between Pocatello, Idaho, and San Francisco, Calif.). Applicant is authorized to conduct operations in California, Idaho, Montana, Nevada, Oregon, Utah, and Wyoming.

No. MC 730 Sub 49, filed March 29, 1955, PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation 299 Adeline Street, Oakland, Calif. For authority to operate as a common carrier, over regular routes, transporting: *General commodities, including Class A and B explosives, and commodities of unusual value, but excluding livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Reno, Nev., and Sierra Ordnance Depot, Herlong, Calif., from Reno over U. S. Highway 395 to junction unnumbered highway near Doyle, Calif., thence over unnumbered highway to Sierra Ordnance Depot, and return over the same route, serving no intermediate points, and (2) between Fallon, Nev., and U. S. Naval Ammunition Depot near Hawthorne, Nev., over U. S. Highway 95, serving no intermediate points. Applicant is authorized to conduct operations in Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, Oklahoma, Texas, Utah and Wyoming.*

No. MC 730 Sub 50, filed March 31, 1955, PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 299 Adeline Street, Oakland, Calif. For authority to operate as a common carrier, over a regular route, transporting: *Household goods, and general commodities, except those of unusual value, and except Class A and B explosives, livestock, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between junction U. S. Highway 50N and Kansas Highway 150 near Marion, Kans., and junction Kansas Highway 150 and U. S. Highway 50S near Elmdale, Kans., over Kansas Highway 150, serving no intermediate points, and serving the termini for purpose of joinder only, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between Kansas City, Mo., and Denver, Colo. Applicant is authorized to conduct operations in California, Colorado, Idaho, Illinois, Indiana, Kansas, Missouri, Nevada, Utah and Wyoming.*

No. MC 730 Sub 51, filed April 4, 1955, PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation 299 Adeline Street, Oakland, Calif. For authority to operate as a common carrier, over a regular

route, transporting: *General commodities, including Class A and B explosives, and commodities of unusual value, but excluding livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Las Vegas, Nev., and Henderson, Nev., over U. S. Highway 95, serving all intermediate points. Applicant is authorized to conduct operations in California, Colorado, Idaho, Illinois, Indiana, Kansas, Missouri, Nevada, Utah and Wyoming.*

No. MC 1425 Sub 14, Filed March 28, 1955, OVERLAND FREIGHT LINES, INC., 2612 West Morris St., Indianapolis, Ind. Applicant's attorney: James L. Beatley, Suite 1021-1029, 130 East Washington St., Indianapolis 4, Ind. For authority to operate as a contract carrier, over irregular routes transporting: (1) *pallets, platforms, and skids, used in shipping, (a) between Indianapolis, and Muncie, Ind., Louisville, Covington, Owensboro, Maysville, and Henderson, Ky., points in Ohio, those in Michigan on and south of Michigan Highway 21, and those in St. Louis County, Mo., and (b) between Indianapolis, Ind., Louisville, Covington, Owensboro, and Maysville, Ky., and points in Illinois, and (2) glass containers, stoppers, and caps, and knocked down paper cartons and parts thereof, between Indianapolis, and Muncie, Ind., and points in St. Louis County, Mo. The applicant herein presently holds authority pursuant to Certificate No. MC 76629, dated December 23, 1948, to perform common carrier operations over the route or routes or within the territory as more particularly appears in the files of the Commission at its office in Washington, D. C., under said docket number; therefore, Section 210 matters may be involved. Applicant is authorized to conduct contract carrier operations in Illinois, Indiana, Kentucky, Michigan, and Ohio.*

No. MC 2392 Sub 13, filed April 21, 1955, WHEELER TRANSPORT SERVICE, INC., Genoa, Nebr. Applicant's attorney: Einar Viren, 904 City National Bank Bldg., Omaha 2, Nebr. For authority to operate as a common carrier, over irregular routes, transporting: *Liquid fertilizers and liquid mixed fertilizers, in bulk, in tank vehicles, and in packages in appropriate equipment, from Omaha, Nebr. to points in Iowa and South Dakota; rejected shipments and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application on return.*

No. MC 7324 Sub 1, filed April 20, 1955, EARL A. BENNING, Waumandee, Wis. Applicant's representative: A. R. Fowler, Associated Motor Carriers Tariff Bureau, 2288 University Ave., St. Paul 14, Minn. For authority to operate as a common carrier, over irregular routes, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, from points in the Minneapolis-St. Paul, Minn. Commercial Zone, as defined by the Commission, to Alma, Cochrane and Fountain City,*

Wis. Applicant is authorized to conduct operations in Minnesota and Wisconsin.

No. MC 16105 Sub 1, filed March 18, 1955, EDWARD O. WORKMAN, Hartford Road, Moorestown, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Canned goods and food stuffs*, from Moorestown, N. J., and points in New Jersey within fifteen (15) miles thereof (as more specifically set forth in the application), to Philadelphia, Pa., and New York, N. Y.

No. MC 17593 Sub 20, filed April 11, 1955, PIERCE AUTO FREIGHT LINES, INC., 2825 N. W. Yeon Ave., Portland 10, Ore. Applicant's attorney: Wm. P. Ellis, 1102 Equitable Building, Portland 4, Ore. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including *articles of unusual value*, *Class A and B explosives*, *household goods as defined by the Commission*, and *commodities requiring special equipment*, but excluding commodities in bulk, (1) between San Francisco, Calif., and San Jose, Calif., over U. S. Highway 101 and By-Pass U. S. Highway 101, serving all intermediate points, and (2) between Oakland, Calif., and San Jose, Calif., over California Highways 17 and 9, serving all intermediate points. NOTE: Applicant proposes to use the Dumbarton Bridge for operating convenience only. Applicant is authorized to conduct operations in California, Washington, Oregon, and Nevada.

No. MC 19000 Sub 3, filed April 21, 1955, DENNIS J. LOUGHMAN, doing business as WAYNESBURG-PITTSBURGH LOCAL EXPRESS, Waynesburg, Pa. Applicant's attorney: Frank C. Roney, Washington Trust Bldg., Washington, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Cloth, rags, cloth and rag waste materials, textile fabrics, clothing and wearing apparel*, from points in Greene County, Pa., to points in the Baltimore, Md., commercial zone, as defined by the Commission; and, *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, and *empty milk containers*, and *coca cola syrup*, on return. Applicant is authorized to conduct operations in Pennsylvania.

No. MC 19564 Sub 50, filed April 11, 1955, L. C. JONES TRUCKING COMPANY, a corporation, 4300 S. E. 29th Street, P. O. Box 4368, Oklahoma City, Okla. Applicant's attorney: Joe T. Lanham, Perry-Brooks Building, Austin, Tex. For authority to operate as a *common carrier*, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing and picking up of

pipe in connection with main or trunk pipe lines, between points in Missouri and Kansas. Applicant is authorized to conduct operations in Arkansas, Colorado, Illinois, Kansas, Louisiana, Mississippi, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Pennsylvania, South Dakota, Texas, Utah, West Virginia, and Wyoming.

No. MC 30697 Sub 33, filed April 21, 1955, DIECKBRADER EXPRESS, INC., 5391 Eastern Avenue, Cincinnati, Ohio. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Pulpboard and strawboard*, from Carthage, Ind., to Louisville, Ky., and points in Kentucky within the Louisville, Ky. Commercial Zone as defined by the Commission. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, Ohio, and West Virginia.

No. MC 30844 Sub 26, filed April 11, 1955, HEUER TRUCK LINES, INCORPORATED, 306 May Street, Marshalltown, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Salt*, from Hutchinson, Lyons, and Kanopolis, Kans., to points in Iowa (except from Hutchinson and Kanopolis, Kans., to Des Moines, Marshalltown, Sioux City, Ackley, Belmont, Roland, Waverly, Galt, Buckingham, Hampton, and Walker, Iowa), together with *petition to dismiss* on the ground applicant is authorized to transport said commodity under its existing authority to transport "groceries". Applicant is authorized to conduct operations in Iowa and Kansas.

No. MC 35835 Sub 11, filed April 18, 1955, ELMER JENSEN, 513 Ninth Ave., S. E., Independence, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut St., Des Moines 16, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Corn syrup*, in bulk, in tank vehicles, (1) from Cedar Rapids and Clinton, Iowa to points in Arkansas, Kansas, North Dakota, Oklahoma, South Dakota and Texas, and (2) from Keokuk, Iowa to points in Arkansas, Kansas, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota and Texas. Applicant is authorized to conduct operations in Iowa, Illinois, Michigan, Minnesota, Missouri, Nebraska and Wisconsin.

No. MC 36587 Sub 1, filed April 14, 1955, H. M. WAGGONER, Homer, Ill. Applicant's attorney: John D. Carson, Champaign County Bank & Trust Bldg., P. O. Box No. One, Urbana, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sand and gravel* from points in Vermillion County, Ind. to points in Vermillion County, Ill.; *limestone*, from points in Vermillion County, Ill. to points in Vermillion, Parke and Fountain Counties, Ind., and *fertilizer* from Indianapolis, Ind. to points in Vermillion and Champaign Counties, Ill. Applicant is authorized to conduct operations in Indiana and Illinois.

No. MC 37578 Sub 14, filed April 18, 1955, JOSEPH W. TREHAN, INCORPORATED,

715 Mahoning Avenue, Youngstown, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Avenue, Cleveland 14, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Car wheels* loose or attached to axles, and *locomotive wheels*, without axles, between McDonald, Ohio, and Greenville, Pa.

No. MC 39575 Sub 3, filed March 9, 1955, CLEATIS G. ALLEN, doing business as ALLEN MOTOR EXPRESS, 315 East 17th Street, Bedford, Ind. Applicant's attorney: James L. Beattley, 130 East Washington Street, Indianapolis 4, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Building materials*, including sheet rock, plaster board, gypsum lath, gypsum wall board, gypsum plaster and other building materials and supplies manufactured by gypsum processing plants, and *materials and supplies used in the manufacture and distribution of building materials*, including gypsum board paper, paper, starch, potassium sulphate, lime, aluminum sulphate, paper bags, wood chips and materials and supplies used in manufacturing and processing of gypsum and gypsum products, between points in Marion County, Ind., on the one hand, and, on the other, points in Ohio, Michigan, Illinois, Kentucky, and those in St. Louis County, Mo.; and *general commodities*, except commodities of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points within ten (10) miles of Indianapolis, Ind., including Indianapolis, on the one hand, and, on the other, points within twenty (20) miles of Bedford, Ind., including Bedford. Applicant is authorized to conduct operations in Indiana under the second proviso of section 206 (a) (1) of the Interstate Commerce Act.

No. MC 43442 Sub 8, filed April 21, 1955, TRANSPORTATION SERVICE, INC., 1946 Bagley Ave., Detroit 16, Mich. For authority to operate as a *common carrier*, 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, between Detroit, Mich. and Willow Run, Mich. over Michigan Highway M-112 as an alternate or connecting route for operating convenience only, serving no intermediate points, in connection with carrier's authorized regular route between Detroit, Mich. and Willow Run, Mich. over U. S. Highway 112. Applicant is authorized to conduct operations in Michigan and Ohio.

No. MC 46280 Sub 32, filed April 11, 1955, DARLING FREIGHT, INC., 4000 Division Ave. S., Grand Rapids, Mich. Applicant's attorney: Robert A. Sullivan, 2606 Guardian Bldg., Detroit 26, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *Iron products and steel products*, between Gibraltar, Mich., on the one hand, and, on the other, Evansville and Vincennes, Ind., points in Indiana on and north of U. S. Highway 40, those in Illinois on and north of a line beginning at the Indiana-Illinois State line and

extending along U. S. Highway 36 to Springfield, Ill., thence along Illinois Highway 125 to junction U. S. Highway 67, thence along U. S. Highway 67 to junction Illinois Highway 103, thence along Illinois Highway 103 to junction U. S. Highway 24, and thence along U. S. Highway 24 to the Illinois-Missouri State line, and those in Wisconsin on and south of a line beginning at the Minnesota-Wisconsin State line and extending along U. S. Highway 12 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to Green Bay, Wis., and thence along U. S. Highway 141 to Lake Michigan at Manitowoc, Wis. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin.

No. MC 46313 Sub 4, filed April 18, 1955, GREAT FALLS TRANSFER AND STORAGE COMPANY, a corporation, 117 Park Drive South, Great Falls, Mont. For authority to operate as a *common carrier*, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts; and *contractors' equipment, road making and grading equipment and supplies, heavy machinery, and other articles requiring special equipment*, between points in Montana and North Dakota. Applicant is authorized to conduct operations in Idaho and Montana.

No. MC 46737 Sub 22, filed March 28, 1955, GEO. F. ALGER COMPANY, a corporation, 3050 Lonyo Road, Detroit 9, Mich. Applicant's attorney: Walter N. Bieneman, Guardian Building, Detroit 26, Mich. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Gibraltar, Mich., and points within two miles thereof (including the plant of McLouth Steel Company) as off-route points in connection with the carrier's regular route operations between Detroit, Mich., and Toledo, Ohio, (1) over U. S. Highway 24, and (2) over U. S. Highway 25, which is a portion of carrier's regular route operations between Detroit, Mich., and Cincinnati, Ohio. Applicant is authorized to conduct operations in Illinois, Indiana, Ohio and Michigan.

No. MC 47619 Sub 10, filed February 24, 1955, IOWA-NEBRASKA TRANSPORTATION CO., INC., Avoca, Iowa. Applicant's representative: R. A. Koga, General Traffic Manager, Iowa Nebraska Transportation Co., Inc., 1539 W. 32nd Place, Chicago 8, Ill. For authority to operate as a *common carrier*, over regular routes, transporting: (1) *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, (A) between Denison, Iowa, and junction U. S. High-

ways 34 and 59, over U. S. Highway 59 from Denison to Harlan, Iowa, thence over presently authorized route (U. S. Highway 59 or as set forth in outstanding Certificate No. MC 47619, Iowa Highway 64) to Avoca, Iowa, thence over U. S. Highway 59 to junction U. S. Highway 34, and return over the same route, serving the intermediate points (1) of Defiance, Harlan, Avoca, and Hancock, Iowa, and (2) those located on that portion of U. S. Highway 59 extending between Harlan and Avoca, Iowa, and the offroute point: of Irwin, Iowa, (B) between junction Iowa Highways 64 and 191, and junction U. S. Highways 30 and 71. Over Iowa Highway 191 from junction Iowa Highway 64 to junction Iowa Highway 37, thence over Iowa Highway 37 to junction U. S. Highway 59, thence over route described under (1) (A) above (U. S. Highway 59) to junction Iowa Highway 141, thence over Iowa Highway 141 to junction U. S. Highway 71, thence over U. S. Highway 71 to junction U. S. Highway 30, and return over the same route, serving the intermediate points of Persia, Portsmouth, Panama, Earling, Defiance, and Manning, Iowa, and the off-route points of Irwin, Manilla, Botna, and Halbur, Iowa, (C) between junction U. S. Highways 30 and 71, and junction U. S. Highways 34 and 71, over routes described under (1) (B) above (U. S. Highway 71) from junction U. S. Highways 30 and 71 to junction Iowa Highway 141, thence over U. S. Highway 71 to junction U. S. Highway 34, and return over the same route, serving the intermediate points of Audubon, Hamlin, Exira, and Brayton, Iowa, and the off-route point of Halbur, Iowa, (D) between Harlan, Iowa, and junction Iowa Highways 64 and 191, over Iowa Highway 39 from Harlan to junction Iowa Highway 191, thence over route described under (1) (B) above (Iowa Highway 191) to junction Iowa Highway 64, and return over the same route, serving the intermediate points of Portsmouth, and Persia, Iowa, (E) between Harlan, Iowa, and junction U. S. Highway 30 and Iowa Highway 39, over route described under (1) (D) above (Iowa Highway 39) from Harlan to Portsmouth, Iowa, thence over Iowa Highway 39 to junction U. S. Highway 30, and return over the same route, serving the intermediate point of Portsmouth, Iowa, (F) between Denison, Iowa and Deloit, Iowa, over Iowa Highway 4, serving no intermediate points, (G) between Des Moines, Iowa, and junction U. S. Highway 30 and Iowa Highway 144, over Iowa Highway 141 from Des Moines to Perry, Iowa, thence over Iowa Highway 144 to junction U. S. Highway 30, and return over the same route, serving no intermediate points, (H) between Des Moines, Iowa, and junction U. S. Highway 30 and Iowa Highway 60, over Iowa Highway 60, serving no intermediate points, (I) between Des Moines, Iowa, and junction U. S. Highway 25, over route described under (1) (G) above (Iowa Highway 141) from Des Moines to Perry, Iowa, thence over Iowa Highway 141 to junction Iowa Highway 25, thence over Iowa Highway 25 to junction U. S. Highway 30, and return over the same route, serving no intermediate points, (J) between Ames,

Iowa, and Osceola, Iowa, over U. S. Highway 69, serving no intermediate points, (K) between Belle Plaine, Iowa, and junction U. S. Highway 30 and Iowa Highway 131, over Iowa Highway 131, serving no intermediate points, (L) between Belle Plaine, Iowa, and junction U. S. Highway 30 and Iowa Highway 212, over Iowa Highway 212, serving no intermediate points, (M) between junction U. S. Highway 30 and Iowa Highway 63, and junction U. S. Highway 6 and Iowa Highway 63, over Iowa Highway 63, serving the intermediate point of Tama, Iowa, (N) between Albia, Iowa, and Des Moines, Iowa, over Iowa Highway 60 from Albia to junction Iowa Highway 92, thence over Iowa Highway 92 to junction Iowa Highway 60, thence over Iowa Highway 60 to Des Moines, Iowa, and return over the same route, serving no intermediate points, and (O) between Guthrie Center, Iowa, and junction U. S. Highway 6 and Iowa Highway 25, over Iowa Highway 25, serving no intermediate points, and (2) *packing house products and fresh meat*, serving Shelby, Iowa, as an off-route point in connection with regular route operations between Chicago, Ill., and Omaha, Nebr., over U. S. Highways 6, 30, Alternate 30, 34, 73, 75, 218, and 275, Illinois Highways 82, and 92, and Iowa Highways 64, 83, and 141. Applicant is authorized to conduct regular route operations in Illinois, Indiana, Iowa, and Nebraska, and irregular route operations in Illinois, Indiana, Iowa, Kansas, Massachusetts, Missouri, Nebraska, New Jersey, New York, Pennsylvania, and South Dakota.

No. MC 52713 Sub 5, filed March 30, 1955, MAXINE HUTCHENS AND B. F. BABB, doing business as CASSVILLE TRUCK LINE, Cassville, Mo. Applicant's attorney: D. D. McDonald, Room 1, Ott Bldg., Jefferson City, Md. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Joplin, Mo., and Powell, Mo., from Joplin over U. S. Highway 166 to junction Alternate U. S. Highway 71, thence over Alternate U. S. Highway 71 to junction U. S. Highway 60, thence over U. S. Highway 60 to Granby, Mo., thence over County Highway "H" to junction Missouri Highway 44, thence over Missouri Highway 44 to junction County Highway "E", thence over County Highway "E" to Powell, and return over the same route, serving the intermediate point of Longview, Mo. Applicant is authorized to conduct operations in Missouri.

No. MC 52986 Sub 8, filed April 1, 1955, NORTHWEST FREIGHT LINES, INC., 4300 State Avenue, Billings, Mont. Applicant's attorney: Alan Foss, First National Bank Bldg., Fargo, N. Dak. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including *commodities in bulk*, but excluding articles of unusual value, Class A and B explosives, household goods as defined by the Commission, and commodities requiring

special equipment, between Missoula, Mont., and Spokane, Wash., over U. S. Highway 10, serving all intermediate points and the off-route point of the Ohio Match Company factory near Superior, Mont. Applicant is authorized to conduct operations in Indiana, Minnesota, Montana, and North Dakota.

No. MC 55905 Sub 74, filed March 14, 1955, WEST COAST FAST FREIGHT, INC., 299 Adeline St., Oakland, Calif. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Oreg. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including those requiring special equipment, but excluding commodities of unusual value, Class A and B explosives, household goods as defined by the Commission, and commodities in bulk, (1) between Portland, Oreg., and Hubbard, Oreg., from Portland over U. S. Highway 99W to junction Oregon Highway 57, thence over Oregon Highway 57 to junction Oregon Highway 51, thence over Oregon Highway 51 to junction U. S. Highway 99E, thence over U. S. Highway 99E to Hubbard, (2) between junction North Junction, Salem, Oreg. By-Pass and U. S. Highway 99E and junction South Junction, Salem, Oreg. By-Pass and U. S. Highway 99E, over Salem By-Pass, (3) between Anlauf, Oreg., and Rice Hill, Oreg., via Drain, Oreg., over Oregon Highway 45, and (4) between Oakland, Oreg., and Shady Point, Oreg., over Oregon Highway 234, and return over the above-routes, serving all intermediate points.

NOTE: Applicant states that Route (1) above is the new short cut expressway between Portland and Hubbard, and that it extends through an area heretofore but slightly developed; (2) is a new by-pass of Salem so as to avoid Salem Traffic and that when vehicles are not serving Salem, they will use this route; (3) is to enable the applicant to continue to serve Drain, Oreg., and other points which are no longer on U. S. Highway 99E, due to relocation of that highway; and (4) is to enable applicant to continue to serve points on Old U. S. Highway 99E (now Oregon Highway 234) between Oakland and Shady Point, Oreg., due to relocation of said U. S. Highway 99E. Applicant is authorized to conduct operations in California, Idaho, Montana, Oregon, and Washington.

No. MC 61396 Sub 50, filed March 31, 1955, and amended April 4, 1955, HERMAN BROS., INC., 1207 Chicago Street, Post Office Box 1237, Omaha 2, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid fertilizers*, in bulk, in tank vehicles, from Onawa, Iowa, to points in Nebraska.

No. MC 61396 Sub 52, filed April 13, 1955, HERMAN BROS., INC., 1207 Chicago St., P. O. Box 1237, Omaha 2, Nebr. Applicant's attorney: Frank E. Rambo, 127 N. 34th St., Omaha 3, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid fertilizers*, and *dry fertilizers*, in bulk, in tank trucks or trailers, from points (manufacturing and shipping) in Nebraska, to points in Iowa, Kansas, and Missouri. Applicant does not hold any authority to transport the commodities specified in this application.

No. MC 67818 Sub 52, filed April 8, 1955, MICHIGAN EXPRESS, INC., 505 Monroe Avenue, N. W., Grand Rapids 2, Mich. Applicant's attorney: Jack Goodman, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Vending machines*, including but not limited to coin and electrically operated, *food and beverage machines*, including but not limited to mixing, compounding, freezing or cooling and combinations thereof, *dispensers*, including but not limited to soda fountains, juices, syrups or soft drinks, and *cabinets, parts and accessories used in connection with said machines and dispensers*, from Traverse City, Mich., to points in the United States and the District of Columbia, and *refused and damaged shipments* on return. Applicant is authorized to conduct operations in Ohio and Michigan.

No. MC 73464 Sub 80, filed April 4, 1955, JACK COLE COMPANY, INC., 1900 Vanderbilt Rd., P. O. Drawer 274, Birmingham, Ala. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 5, Ga. For authority to operate as a *common carrier*, over irregular 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, between Anniston Ordnance Depot near Anniston, Ala., on the one hand, and, on the other, points in the Philadelphia, Pa., Commercial Zone as defined by the Commission, those in the New York, N. Y., Commercial Zone as defined by the Commission, points in Ohio and Indiana, those in that part of Illinois on, east and south of a line beginning at Cairo, Ill., and extending along U. S. Highway 51 to LaSalle, Ill., thence along U. S. Highway 6 to Joliet, Ill., thence along Alternate U. S. Highway 66 to junction U. S. Highway 66, thence along U. S. Highway 66 to Chicago, Ill., and Edwardsville, Kewanee, and Litchfield, Ill., and Detroit, Mich., together with Motion to Dismiss application following hearing thereon on the ground that authority to serve Anniston, Ala., includes authority to serve Anniston Ordnance Depot, near Anniston, Ala. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

No. MC 76032 Sub 92, filed April 4, 1955, NAVAJO FREIGHT LINES, INC., P. O. Box 5364, 381 So. Broadway, Denver 9, Colo. Applicant's attorney: O. Russell Jones, 54½ E. San Francisco St., Southwest Corner Plaza, Santa Fe, N. Mex. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including *Class A and B explosives*, but excluding those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment (not including those requiring refrigeration), and those injurious or contami-

nating to other lading, between Gallup, N. Mex., and Shiprock, N. Mex., over U. S. Highway 666, serving all intermediate points, and between Gamarco, N. Mex., and Tuba City, Ariz., over above-specified route (U. S. Highway 666) from Gamarco to junction U. S. Highway 66 at Gallup, N. Mex., thence over presently authorized route (U. S. Highway 66) to junction U. S. Highway 89, thence over U. S. Highway 89 to junction unnumbered highway approximately seven (7) miles north of Cameron, Ariz., thence over said unnumbered highway to Tuba City, and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, and Texas.

No. MC 78786 Sub 205, filed March 2, 1955, (AMENDED) published on page 2636, issue of April 20, 1955, PACIFIC MOTOR TRUCKING COMPANY, 65 Market St., San Francisco 5, Calif. Applicant's attorney: Starr Thomas, General Attorney, 80 East Jackson Blvd., Chicago 4, Ill. For authority to operate as a *common carrier*, over regular and irregular routes, to continue operations to be acquired from Pacific Freight Lines in Dock No. MC-F 5783 which are to be retained by applicant upon conveyance of a portion of the operating rights proposed to be acquired to Santa Fe Transportation Company in Docket No. MC-F 5932, as follows: Operating authority to be retained by Pacific Motor Trucking Company:

(1) Operating authority described on sheets one and two of Certificate of Public Convenience and Necessity issued October 5, 1942, in Docket No. MC 43762, as follows: *REGULAR ROUTE: General commodities*,<sup>1</sup> except those of unusual value, and except liquids in bulk, in tank trucks, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M. C. C. 467, and commodities requiring special equipment, between Los Angeles, Calif., and San Luis Obispo, Calif.: From Los Angeles over U. S. Highway 101 to San Luis Obispo; Between Los Angeles, Calif., and Ventura, Calif., as follows: From Los Angeles over U. S. Highway 66 to Santa Monica, Calif., thence over Alternate U. S. Highway 101 to junction U. S. Highway 101, and thence over U. S. Highway 101 to Ventura; From Los Angeles over U. S. Highway 99 to junction California Highway 118, thence over California Highway 118 to junction U. S. Highway 101, and thence over U. S. Highway 101 to Ventura; From Los Angeles over U. S. Highway 99 to junction California Highway 126, and thence over California Highway 126 to Ventura; Return over the above-specified routes to points of origin. Service is authorized to and from all intermediate points on the above-specified routes and to and from the off-route points within ten miles of the above-described routes.

(2) Operating authority described on sheet two of Certificate of Public Con-

<sup>1</sup> This commodity description also applies to operating rights described in Paragraphs 2 to 6, inclusive.

venience and Necessity issued October 5, 1942, in Docket No. MC 43762, modified as follows: **REGULAR ROUTE:** Between Los Angeles, Calif., and Calexico, Calif., as follows: From Los Angeles over U. S. Highway 99 via Colton and West Covina, Calif., to Calexico; From Los Angeles over U. S. Highway 66 to San Bernardino, Calif., thence over U. S. Highway 395 to Colton, and thence to Calexico as specified above; From Los Angeles over California Highway 19 to junction California Highway 10, thence over California Highway 10 to junction California Highway 35, thence over California Highway 35 to West Covina, and thence to Calexico as specified above; From Los Angeles over California Highway 22 to junction California Highway 35, thence over California Highway 35 to junction California Highway 18, thence over California Highway 18 to Riverside, Calif., thence over U. S. Highway 395 to Colton, and thence to Calexico as specified above, and return over the above-specified routes to points of origin. Service is authorized to and from all intermediate points on the above-specified routes and to and from the off-route points within five miles of the above-described routes, excepting that no service is authorized to or from Bandini, Montebello, Gypsum, Olive, Butler, Cucamonga, Rochester, East Highlands, Molino, West Highlands, Del Rosa, Ono, Sante Fe Springs, Stephens, East Whittier, La Mirada, Placentia, Atwood, May, Weisel, Chapman, Prado Dam or Lemon, or to or from any points on U. S. Highway 60 intermediate to Ontario and Riverside.

(3) Operating authority described on sheet 3 of Certificate of Public Convenience and Necessity issued October 5, 1942, in Docket No. MC 43762, modified as follows: **REGULAR ROUTE:** Between Los Angeles, Calif., and Fresno, Calif.: From Los Angeles over U. S. Highway 99 through San Fernando, Calif., to Fresno, Calif., and return over the above-specified routes to Los Angeles; Between points in California, as follows: From Famosa over California Highway 65 to junction California Highway 198, thence over California Highway 198 to junction U. S. Highway 99, and thence over U. S. Highway 99 to Fresno; From Delano over unnumbered highway to junction California Highway 65 near Richgrove; From Earlimart over unnumbered highway to Ducor; From Lindsay over unnumbered highway to Tulare, and return over the above-specified routes to points of origin. Service is authorized to and from all intermediate points on the above-specified routes and to and from the off-route points within five miles of the above-specified routes, excepting that no service is authorized to or from Oleander, Ultra, Mopeco, Jastro, Rosedale, Crome, Una, Shafter, Magnolia, Sunland, Lumer, Lone Star, Mattei, Cecille, Bowles, Swall, Loma, Paige, Mosian, Strathmore Jct., Mirador, Gillette, Sierra Heights, Lucca, Antes, Venida, Fane or Higby. From Famosa over U. S. Highway 466 to junction California Highway 33, and thence over California Highway 33 to Coalinga; From San Fernando over U. S. Highway 6 to junction unnumbered highway,

thence over unnumbered highway via Newhall and Saugus to junction U. S. Highway 99, thence over U. S. Highway 99 to junction unnumbered highway (near Castaic), thence over unnumbered highway via Castaic and Sandberg to junction California Highway 138, thence over California Highway 138 to Gorman, Thence over U. S. Highway 99 to junction California Highway 166, thence over California Highway 166 to Maricopa, thence over U. S. Highway 399 to Taft, and thence over California Highway 33 to Blackwells Corner; From Taft over U. S. Highway 399 to junction U. S. Highway 99; From Bakersfield over California Highway 178 (also from junction California Highway 179 and unnumbered highway (near Lokern) over unnumbered highway to junction California Highway 33, thence over California Highway 33 to junction unnumbered highway, thence over unnumbered highway to Lost Hills, thence over U. S. Highway 466 to junction California Highway 33, thence over California Highway 33 to junction unnumbered highway (near Devils Den), and thence over unnumbered highway via Kettleman City, to Avenal; From Lerdo over unnumbered highway via Shafter to Wasco; From junction California Highways 33 and 41 over California Highway 41 to junction unnumbered highway (near Kettleman City), thence over unnumbered highway via Milham City and Murray to Coalinga; and return over the above-specified routes to points of origin. Service is authorized to and from all intermediate points and to and from the off-route points within ten miles of the above-described routes, excepting no service is authorized to or from Shafter, Ivy, Palmo, Wasco, Neufeld, Elmo, Pond, Mopeco, Jastro, Rosedale, Una, or Crome.

(4) Operating authority described on sheet 4 of Certificate of Public Convenience and Necessity issued October 5, 1942, in Docket No. MC 43762, modified as follows: **REGULAR ROUTE:** Between Los Angeles, Calif., and San Bernardino, Calif.: From Los Angeles over U. S. Highway 60 via Pomona, Calif., to Riverside, Calif., thence over U. S. Highway 395 to San Bernardino. Between junction U. S. Highway 66 and Euclid and Turner Avenues and junction of U. S. Highway 99 and Euclid and Turner Avenues; From junction of U. S. Highway 66 and Euclid Avenue over Euclid Avenue to junction of U. S. Highway 99 (near Ontario, Calif.); From junction of U. S. Highway 66 and Turner Avenue over Turner Avenue to U. S. Highway 99 (near Guasti, Calif.). Between San Bernardino, Calif., and Redlands, Calif.: From San Bernardino over U. S. Highway 395 to Colton, thence over U. S. Highway 99 to Redlands, and return over the above-specified routes to points of origin. Service is authorized to and from all intermediate points and to and from the off-route points within ten miles of the above-described routes, excepting that no service is authorized to or from Bandini, Montebello, Devore, Santa Fe Springs, Chapman, Verdemon, Butler, Cucamonga, Rochester, East Highlands, Moline, West Highlands, Del Rosa, Ono, Lemon, Box Springs, March Field, Alessandro or May, or to or from any points

on U. S. Highway 60 intermediate to Ontario and Riverside.

(5) Operating authority described on Sheet 4 of Certificate of Public Convenience and Necessity issued October 5, 1942, in Docket No. MC 43762, modified as follows: **REGULAR ROUTE:** Between Los Angeles, Calif., and Altadena, Calif.: From Los Angeles over city streets via Highland Park, South Pasadena and Pasadena, Calif., to Altadena, and return over the above-specified route to point of origin. Service is authorized to and from all intermediate points on the above-specified route and to and from the off-route points within three miles of the above-described route.

(6) Operating authority described on Sheets 4 and 5 of Certificate of Public Convenience and Necessity issued October 5, 1942, in Docket No. MC 43762, as follows: **REGULAR ROUTE:** Between Los Angeles, Calif., and Laguna Beach, Calif.: From Los Angeles over California Highway 10 to junction California Highway 35, thence over California Highway 35 to junction California Highway 22, thence over California Highway 22 to junction California Highway 39, thence over California Highway 39 to junction Alternate U. S. Highway 101, and thence over Alternate U. S. Highway 101 to Laguna Beach. Between Newport Beach, Calif., and Costa Mesa, Calif.: From Newport Beach over unnumbered highway to junction California Highway 55, thence over California Highway 55 to Costa Mesa. Between junction U. S. Highway 101 and unnumbered highway approximately two miles south of Game-well, Calif., and Balboa, Calif.: From junction U. S. Highway 101 and unnumbered highway over unnumbered highway via Newport Beach, Calif., to Balboa, and return over the above-specified routes to points of origin. Service is authorized to and from all intermediate points, on the above-specified routes. **IRREGULAR ROUTES:** Between points and places in the Los Angeles Commercial Zone and the Los Angeles Harbor Commercial Zone, as defined by the Commission in Los Angeles, Calif., Commercial Zone, 3 M. C. C. 248.

(7) Operating rights described on Sheets 1 and 2 of Certificate of Public Convenience and Necessity issued June 1, 1942, in Docket No. MC 43762 Sub 3, modified as follows: **REGULAR ROUTES:** Between Los Angeles and El Centro, Calif., Phoenix and Tucson, Ariz., as follows: *General commodities*, except bulk liquids, livestock, dangerous explosives, and except household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M. C. C. 467, and commodities requiring special equipment, From Los Angeles over U. S. Highway 60 to Indio, Calif. (also from Los Angeles over U. S. Highway 99 to Indio), thence over U. S. Highway 60 to Mesa, Ariz., thence over Arizona Highway 87 via Olberg, Ariz., to Picacho, Ariz. (also from Olberg over Arizona Highway 84 to Picacho), and thence over Arizona Highway 84 to Tucson; From Los Angeles to Indio as specified above, thence over U. S. Highway 99 to El Centro, Calif., thence over U. S. Highway 80 via Gila Bend, Ariz., to Phoenix; From Los Angeles to Gila Bend as specified above,

thence over Arizona Highway 84 to Casa Grande; and return over these routes to Los Angeles. Service is authorized to and from all intermediate points in Arizona, except Salome, Wenden, Love, Golden, Aguila, Forepaugh, Divide, Matthe, Wickenburg, Allah, Castle Hot Springs, Wittman, Beardsley, Lizard, Ennis, Marinette, Peoria, Glendale, and the off-route point of Litchfield Park, Ariz., unrestricted; all intermediate points in California except the points of Lemona, Box Springs, Blyth, Placentia and Santa Fe Springs, and points on U. S. Highway 60 intermediate to Ontario and Riverside, restricted to traffic moving to or from points in Arizona; and the off-route points of Corona, Downey, Huntington Beach, LaVerne, Los Alamitos, Monrovia, San Bernardino, Calif.; and points and places in the LOS ANGELES COMMERCIAL ZONE and the LOS ANGELES HARBOR COMMERCIAL ZONE, as defined in LOS ANGELES, CALIF., COMMERCIAL ZONE, 3 M. C. C. 248, restricted to traffic moving to or from points in Arizona. From Los Angeles over U. S. Highway 101 to Doheny Park, Calif. (also from Los Angeles over Alternate U. S. Highway 101 to Doheny Park), thence over U. S. Highway 101 to San Diego, Calif., and thence over U. S. Highway 80 to El Centro, Calif., and return over the same route. Service is authorized at the intermediate point of San Diego, Calif., restricted on eastbound movements, to pick-up of shipments moving to points east of Yuma, Ariz., and on westbound movements, restricted to delivery of shipments moving from points east of Yuma, Ariz. Between San Diego, Calif., and Phoenix, Ariz.; *Salt*, From San Diego over U. S. Highway 80 to Phoenix; and *Empty salt containers, fresh meat, and packing-house products*, From Phoenix over the above-specified route to San Diego. Service is not authorized to or from intermediate points. Service is authorized to the off-route point of Tovrea, Ariz., restricted to delivery only. **REGULAR AND IRREGULAR ROUTES:** *Feeds*, From Phoenix, Ariz., to points and places in San Diego County, Calif., as follows: From Phoenix over U. S. Highway 80 to the San Diego County line, and thence over irregular routes to points and places in San Diego County; and return over irregular routes to the San Diego County line, and thence over the above-specified regular route to Phoenix. Service is not authorized to or from intermediate points on the above-specified regular route except as otherwise authorized or to or from the following points in irregular route territory: San Onofre, Don, Las Flores, Stuart, Oceanside, Carlsbad, Hedionda, Farr, Ponto, Encinitas, Cardiff, Solana Beach, Del Mar, Sorrento, Linda Vista, Pacific Beach, Ranch House, Jofegan, De Luz, Fallbrook, Talica, Falda, Vista, Guena, San Marcos or Escondido.

(8) Operating rights described on Sheet 3 of Certificate of Public Convenience and Necessity issued June 1, 1942, in Docket No. MC 43762 Sub 3, modified as follows: **IRREGULAR ROUTES:** *Groceries, fresh citrus fruits, canned and dried fruits and vegetables, and paper and paper products*, except fruit wrappers, Between Fresno, Calif., and points

and places within 75 miles of Fresno, on the one hand, and, on the other, San Pedro, Wilmington, and Terminal Island (Los Angeles Harbor points). *Milk and milk products*, in truckloads of not less than 25,000 pounds. From Fresno, Calif., and points and places within 75 miles of Fresno, to San Pedro, Wilmington, and Terminal Island (Los Angeles Harbor points), with no transportation for compensation on return except as otherwise authorized. No service is authorized to or from the following named points: Sharon, Kismet, Trigo, Gregg, Figarden, Cecille, Mattei, Lone Star, Wolf, Del Rey, Radwin, Wahtoke, Cella, Minkler, Oakhurst, Avocado, Piedra, Navalencia, Orange Cove, Oleander, Bowles, Monmouth, Conejo, Clint, Gepford, Shilling, Lanare, Roy, Enson, Tokay, Sultana, Cutler, Calgro, Peral, Higby, Loma, Swall, Paige, Waukena, Blanco, Spa, Angiola, Alpaugh, Allensworth, Wyeth, Orosi, Wimp, Seville, Twin Buttes, Rayo, Cairns, Hillmaid, Fane, Venida, Antes, Lucca, Gillette, Mirador, Strathmore Junction, Mosain, Lumer, Sunland, Magnolia, Lucerne, Pitco, Guernsey, Corcoran, Cressy, Winton, Fluhr, Pritchard, Kadota, Tuttle, Calpack, Planada, Legrand, and Marguerite. *Diesel fuel oil, and petroleum products*, not including fuel oil, between Los Angeles, Calif., and points and places within 30 miles of First and Main Streets, Los Angeles, on the one hand, and, on the other, points and places in Pima and Pinal Counties, Ariz., and that part of Yuma and Maricopa Counties, Ariz., (including Phoenix, Arizona), lying south of the main line of The Atchison, Topeka and Santa Fe Railway Company or south of Arizona Highway No. 72 to its junction with U. S. Highway No. 70, thence U. S. Highway No. 79, whichever is more southerly, to Phoenix, and including points east of a line running north from Phoenix. *Petroleum products*, Between San Diego and Los Angeles, Calif., and points and places within 30 miles of Los Angeles, on the one hand, and, on the other, San Ysidro, Tecate, and Calexico, Calif.

(9) Operating rights described in Certificate of Public Convenience and Necessity issued November 25, 1949, in Docket No. MC 43762 Sub 7, modified as follows: *Petroleum products*, in bulk, in tank, in tank vehicles, over irregular routes, From Fillmore, Calif., and points and places within two miles of Fillmore, to points and places in Pima and Pinal Counties, Ariz., and that part of Yuma and Maricopa Counties, Ariz. (including Phoenix, Arizona), lying south of the main line of The Atchison, Topeka and Santa Fe Railway Company or south of Arizona Highway No. 72 to its junction with U. S. Highway No. 70, thence U. S. Highway No. 70, whichever is more southerly, to Phoenix, and including points east of a line running north from Phoenix.

(10) Operating rights described in Certificate of Public Convenience and Necessity issued October 11, 1949, in Docket No. MC 43762 Sub 10, modified as follows: *General commodities*, except those of unusual value, and except household goods as defined in *Practices of Motor Common Carriers of Household*

*Goods*, 17 M. C. C. 467, livestock, and commodities requiring special equipment, over regular routes. Between points in California: From Selma over U. S. Highway 99 to Manteca, thence over California Highway 120 to junction U. S. Highway 50, and thence over U. S. Highway 50 to San Francisco (also from Manteca over U. S. Highway 99 to Stockton, thence over U. S. Highway 50 to San Francisco), and return over the same route. Service is authorized to and from all intermediate points; and the off-route points of Alameda, Biola, Brentwood, Clotho, Clovis, Dinuba, Fruitvale, Handord, Hayward, Kerman, Locans, Reedley, Richmond, Sanger, and Visalia, and those within one mile of Stockton. From Selma over U. S. Highway 99 to junction California Highway 152, thence over California Highway 152 to junction U. S. Highway 101, and thence over U. S. Highway 101 to San Francisco, and return over the same route. Service is authorized to and from the intermediate points of Santa Clara, San Jose, and Sunnyvale, those on U. S. Highway 99, and the off-route points specified above.

No. MC 89040 Sub 1, filed March 14, 1955, EDWARD A. WATTS, 517 W. Dauphin Street, Philadelphia 33, Pa. Applicant's representative: G. A. Bruestle, Motor Carriers Service Bureau, Inc., S. E. Cor. Broad & Spring Garden Sts., Philadelphia 23, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Paper boxes, stand-up or set-up, from Philadelphia, Pa., to New York, N. Y., and points in New Jersey*. Applicant is authorized to conduct operations in New Jersey and Pennsylvania.

No. MC 94265 Sub 38, filed February 28, 1955, (amended), BONNEY MOTOR EXPRESS, INC., P. O. Box 4057, Broad Creek Station, Military Highway, Norfolk, Va. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *peanuts*, from points in North Carolina, and Virginia on, north, east, and south of a line beginning at the Atlantic Ocean at or near Atlantic, N. C., and thence extending along U. S. Highway 70 to junction U. S. Highway 1, thence along U. S. Highway 1 to the North Carolina-Virginia State line, thence along U. S. Highway 1 to Petersburg, Va., thence along Virginia Highway 36 to Hopewell, Va., and thence along the James River and Chesapeake Bay to the Atlantic Ocean at or near Cape Henry, Va., (2) *edible nuts*, including but not restricted to *filberts, walnuts, almonds, cashews, pecans, and brazil nuts; candy; peanut butter sandwiches; cream filled cookies; peanut products* such as but not limited to *candy, peanut butter, soap powder, peanut oil, peanut hulls, peanut skins, and peanut hearts*; and such *advertising materials, store equipment, and fixtures* as are used in connection with the sale and distribution of the aforesaid commodities, from Norfolk, and Suffolk, Va., to St. Paul, and Minneapolis, Minn., Milwaukee, Wis., and Louisville, Ky., with shipments of used *advertising materials, store equipment, and fixtures*, on return

movements from St. Paul, and Minneapolis, Minn., Milwaukee, Wis., and Louisville, Ky., to Norfolk, and Suffolk, Va., and (3) *cream filled cookies*, from Norfolk, and Suffolk, Va., to St. Louis, Mo. Applicant is authorized to conduct operations in Alabama, the District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, and Virginia.

No. MC 95084 Sub 26, filed April 18, 1955, HOVE TRUCK LINE, Stanhope, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut St., Des Moines 16, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Roofing and Building materials*, from Wilmington, Ill., to points in Nebraska and South Dakota and points in Minnesota on and south of U. S. Highway 12.

No. MC 95218 Sub 2, filed April 21, 1955, PELOSO, INC., 1074 Plainfield Street, Johnston, R. I. For authority to operate as a *common carrier*, over irregular routes, transporting: *Commodities, the transportation of which because of size or weight requires the use of special equipment, and of related machinery parts, and related contractors' materials and supplies* when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania. Applicant is authorized to conduct operations in Rhode Island, Connecticut and Massachusetts.

No. MC 96025 Sub 18, filed April 14, 1955, DEWELL WILLIAM HOSKINS, doing business as HOSKINS' TRUCK SERVICE, P. O. Box 66, Malvern, Ark. Applicant's attorney: Louis Tarlowski, Rector Building, Little Rock, Ark. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber, including bed slats and laths*, from points in Ashley, Bradley, Calhoun, Clark, Cleveland, Columbia, Dallas, Drew, Garland, Grant, Hempstead, Hot Spring, Jefferson, LaFayette, Lincoln, Nevada, Ouachita, Pike, Pulaski, Saline and Union Counties, Ark., to points in Illinois, Iowa and Indiana. Applicant is authorized to conduct operations in Arkansas, Kansas, Missouri, Oklahoma, Tennessee and Texas.

No. MC 102308 Sub 18, filed April 22, 1955, (Instant application directly related to MC-F 5963, published under Section 5 proceedings, this issue), INLAND FREIGHT LINES, a corporation, 1370 South Second West, Salt Lake City, Utah. Applicant's attorney: Lynn S. Richards, 716 Newhouse Bldg., Salt Lake City 1, Utah. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities, including Class A and B explosives*, but excluding household goods as defined by the Commission, and commodities in bulk, (1) Between Rangely, Colo., and Denver, Colo., as follows: From Rangely via State Highway 64 to junction with State Highway 13, thence over State Highway 13 to Rifle, thence over U. S. Highways 6 and 24 to Dowds, thence over

U. S. Highway 6 to junction U. S. Highways 6 and 40, thence over U. S. Highways 6 and 40 to Denver; (2) Between Rifle, Colo., and Craig, Colo., as follows: From Rifle via State Highway 13 to Craig; (3) Between Rifle, Colo., and Grand Junction, Colo., as follows: From Rifle to Grand Junction via U. S. Highways 6 and 24, in loads of not less than 4,000 pounds; (4) Between Rangely, Colo., on the one hand, and a radius of 25 miles of Denver, Colo., on the other, as follows: From Rangely over State Highway 64 to junction with State Highway 13, thence over State Highway 13 to Rifle, thence over U. S. Highways 6 and 24 to Dowds, thence over U. S. Highway 6 to junction U. S. Highway 40, thence over U. S. Highways 6 and 40 to points and places within a radius of 25 miles of Denver; (5) Between Rangely, Colo., on the one hand, and a radius of 25 miles of Colorado Springs, Colo., on the other, as follows: From Rangely over State Highway 64 to junction with State Highway 13, thence over State Highway 13 to Rifle, thence over U. S. Highways 6 and 24 to Dowds, thence over U. S. Highway 24 to points and places within a radius of 25 miles of Colorado Springs; (6) Between Rangely, Colo., on the one hand, and points and places within a radius of 25 miles of Pueblo, Colo., on the other, as follows: From Rangely, via State Highway 64 to junction with State Highway 13, thence over State Highway 13 to Rifle, thence over U. S. Highways 6 and 24 to Dowds, thence over U. S. Highway 24 to junction with U. S. Highway 285, thence over U. S. Highway 285 to junction with State Highway 291, thence over State Highway 291 to Salida, thence over U. S. Highway 50 to points and places within a radius of 25 miles of Pueblo; (7) An alternate route in connection with said routes between Rangely, Colo., on the one hand, and points and places within a radius of 25 miles of Denver, Colorado Springs and Pueblo over U. S. Highways 85 and 87 in connection with the routes otherwise defined; and (8) All intermediate points and the off-route points of Rocky Flats, and Dinosaur National Monument.

No. MC 102567 Sub 45, Filed March 14, 1955 (Amended), EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, West First and Broadway, Bossier City, La. (Mailing address: P. O. Box 1822, Shreveport, La.) For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from points in Saint Landry, Pointe Coupee, Concordia, Tensas, Catahoula, Evangeline, Avoyelles and Saint Martin Parishes, La., to points in Mississippi and Alabama. Applicant is authorized to conduct operations in Arkansas, Louisiana, Mississippi and Texas.

No. MC 103051 Sub 15, filed March 25, 1955, WALKER HAULING CO., INC., 624 Penn Ave., N. E., Atlanta, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens & Southern National Bank Building, Atlanta 3, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, between points in Georgia (ex-

cept from the terminals of the Southeastern Pipeline Company in Georgia, except Albany, Ga., to points and places within 125 miles of origin and except from the terminal of the Southeastern Pipeline Company at Albany, to points in Georgia within 115 miles of Albany, which applicant already serves). Applicant is authorized to conduct operations in Georgia, Tennessee, and Alabama.

No. MC 103378 Sub 37, filed April 20, 1955, PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank trucks, from Savannah, Ga., to points in South Carolina and Florida.

No. MC 105375 Sub 7, filed April 20, 1955, JOHN W. DAHLEN, doing business as DAHLEN TRANSPORT COMPANY, 875 North Prior St., St. Paul 4, Minn. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Clear Lake, Iowa, and points within five miles thereof, to points in Brown, Cottonwood, Faribault, Freeborn, Jackson, Le Sueur, Martin, Murray, Nicollet, Nobles, Pipestone, Redwood, Rice, Rock, and Steele Counties, Minn., and points in Buffalo, Crawford, Grant, Iowa, Jackson, Juneau, La Crosse, Lafayette, Monroe, Richland, Sauk, Trempealeau, and Vernon Counties, Wis. Applicant is authorized to conduct operations in Wisconsin, Iowa, and Minnesota.

No. MC 105531 Sub 14, filed February 2, 1955 (amended), ALAMO MOTOR LINES, a corporation, 428 East Cevallos, San Antonio, Tex. Applicant's attorney: Maynard F. Robinson, Frost National Bank Building, San Antonio, Tex. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities, including Class A and B explosives*, but excluding those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between (1) Houston, Tex., and New Orleans, La., over U. S. Highway 90, serving all intermediate points, (2) Beaumont, Tex., and New Orleans, La., over U. S. Highway 190 from Beaumont to Baton Rouge, La., thence over U. S. Highway 61 to New Orleans, and return over the same route, serving all intermediate points, and (3) Jennings, La., and New Iberia, La., over Louisiana Highway 25, serving all intermediate points; together with motion requesting that all of the pertinent evidence previously adduced at hearings held on December 2, 1947, December 18, 1947, March 29, 1948, and April 16, 1948 at Houston, Tex., and February 16, 1948, and March 15, 1948 at New Orleans, La., in connection with the applications filed in Dockets Nos. MC 105531 Sub 7, MC 107173 Sub 2, and MC 59680 Sub 69, be incorporated in the instant proceeding. Applicant is authorized to conduct operations in Texas.

No. MC 105902 Sub 6, filed April 7, 1955, PENN YAN EXPRESS, INC., 100 West

Lake Road, P. O. Box 396, Penn Yan, N. Y. Applicant's representative: Floyd B. Piper, Crosby Building, Buffalo 2, N. Y. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, and except Class A and B Explosives, livestock, silk, furs, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Buttzville, N. J., and Newark, N. J., from Buttzville, over U. S. Highway 46 to junction New Jersey Highway 17, thence over New Jersey Highway 17 to Newark, N. J., and return over the same route, serving no intermediate points, as an alternate or connecting route in connection with applicant's regular-route operation between Elmira, N. Y., and New York, N. Y. Applicant is authorized to conduct operations in New Jersey, New York, and Pennsylvania.

No. MC 106965 Sub 78, filed March 3, 1955, (amended), published on page 1753 of issue of March 23, 1955. M. I. O'BOYLE AND SON, INC., doing business as O'BOYLE TANK LINES, 817 Michigan Ave. NE., Washington, D. C. Applicant's attorney: Dale C. Dillon, Suite 944 Washington Building, Washington 5, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cement*, in bulk, in tank or hopper vehicles, from (1) Baltimore, Hagerstown, Security, and Union Bridge, Md., to points in Pennsylvania, Virginia, West Virginia, and the District of Columbia, (2) Martinsburg, W. Va., to points in Maryland, Pennsylvania, Virginia, and the District of Columbia, (3) Washington, D. C., to points in Maryland, Virginia, and West Virginia, and (4) Bethlehem, Lehigh, Nazareth, Philadelphia, Pittsburgh, and York, Pa., and Fordwick, Norfolk, Newport News, and Roanoke, Va., to points in Maryland, Virginia, West Virginia, and the District of Columbia. Applicant does not presently hold any authority to transport the commodity specified in this application.

No. MC 107295 Sub 44, filed April 13, 1955, PRE-FAB TRANSIT CO., Farmer City, Ill. Applicant's attorney: Mack Stephenson, First National Bank Bldg., Springfield, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Storage tanks*, from Galesburg, Ill., to points in Indiana, Michigan, Ohio, Kentucky, Wisconsin, Missouri, Kansas, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska.

No. MC 107626 Sub 5, Filed March 18, 1955, (Amended) LAS VEGAS-NEEDLES-PHOENIX TRUCK LINE, INC., 1324 East 15th Street, Los Angeles 21, Calif. Applicant's attorney: David F. Anderson, St. George, Utah. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, dangerous explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Las Vegas, Nev., and the site of the U. S. Atomic Energy Commission plant at or near Mercury, Nev., from Las Vegas over U. S. Highway 95 to junction unnumbered

highway, and thence over unnumbered highway to the above specified plant site near Mercury, and return over the same route, serving no intermediate points, and restricted to traffic having an origin or destination in New Mexico; *Class A, B and C explosives*, between Phoenix, Ariz. and the site of the U. S. Atomic Energy Commission plant at or near Mercury, Nev., from Phoenix over U. S. Highway 60 to Hope, thence over Arizona Highway 72 to Parker, thence across the Colorado River to Earp, Calif., thence over unnumbered California highway to junction U. S. Highway 95 at Vidal Junction, thence over U. S. Highway 95 to junction unnumbered Nevada highway near Mercury, Nev., and thence over unnumbered Nevada highway to the site of the U. S. Atomic Energy Commission plant at or near Mercury, and return over the same route, serving all intermediate points except those between Hope and Phoenix, Ariz., and except those between Las Vegas and the Atomic Energy plant, and serving off-route points within ten miles of the above-specified route between Las Vegas, Nev., and Hope, Ariz.; *compressed gases*, in Government-owned tank trailers and cylinders, and *empty Government-owned tank trailers and cylinders*, between Phoenix, Ariz. and the site of the U. S. Atomic Energy Commission plant at or near Mercury, Nev., from Phoenix over U. S. Highway 60 to Hope, thence over Arizona Highway 72 to Parker, thence across the Colorado River to Earp, Calif., thence over unnumbered California highway to junction U. S. Highway 95 at Vidal Junction, thence over U. S. Highway 95 to junction unnumbered Nevada highway near Mercury, Nev., and thence over unnumbered Nevada highway to the site of the U. S. Atomic Energy Commission plant at or near Mercury and return over the same route, serving no intermediate points; *Class A, B and C explosives, compressed gases* in Government-owned tank trailers and cylinders, and *empty Government-owned tank trailers and cylinders*, and *general commodities*, except those of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Phoenix, Ariz. and Alunite, Nev., and the junction U. S. Highway 95 and Nevada Highway 77, from Phoenix, Ariz. over U. S. Highway 89 to Congress Junction, thence over Arizona Highway 93 to junction U. S. Highway 66 about one mile east of Kingman, thence over U. S. Highway 66 to Kingman, thence over combined U. S. Highways 93 and 466 to junction U. S. Highway 95 at Alunite, Nev., and from Phoenix, Ariz. over the above-specified route to Kingman, thence over U. S. Highway 93 to junction unnumbered highway, thence over unnumbered highway via Davis damsite to junction U. S. Highway 95 and Nevada Highway 77, and return over the same routes, serving no intermediate points except as otherwise authorized in applicant's existing authority or as may be authorized by approval of this application, in connection with (1) carrier's regular route operations between Las Vegas, Nev., and Phoenix, Ariz., and (2) with the regular

route operations described above. Applicant is authorized to conduct operations in Arizona, Nevada and California.

No. MC 108185 Sub 13, filed March 24, 1955, and amended April 1, 1955, DIXIE HIGHWAY EXPRESS, INC., P. O. Box 631, Meridian, Miss. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens National Bank Building, Atlanta 3, Ga., For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value and except Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, (1) between Atlanta, Ga., and Douglasville, Ga., (a) from Atlanta over Georgia Highway 154 to junction Georgia Highway 92, and thence over Georgia Highway 92 to Douglasville, and (b) from Atlanta over Georgia Highway 166 to junction Georgia Highway 92, thence over Georgia Highway 92 to Douglasville, and return over the same routes, as alternate or connecting routes, in connection with applicant's regular-route operations between Birmingham, Ala., and Tuskegee, Ala., restricted to shipments of 5,000 pounds or more. Applicant is authorized to conduct operations in Alabama, Georgia, Mississippi, and Louisiana.

No. MC 108586 Sub 35, filed March 21, 1955 (amended), published April 13, 1955, page 2440, STEFFKE FREIGHT CO., a corporation, 204 S. Bellis St., P. O. Box 748, Wausau, Wis. Applicant's attorney: Adolph J. Bieberstein, 121 West Doty Street, Madison 3, Wis. For authority to operate as a *common carrier*, over regular routes, transporting: *Class A and B explosives*, between Chicago and Rockford, Ill., and the U. S. Air Force Installation adjacent to K. I. Sawyer Air Port, and the K. I. Sawyer Air Port, located approximately five (5) miles south of Sands, Mich., (1) from Chicago over U. S. Highway 41 to Marquette, Mich., thence south over Marquette County Highway 480 to junction Marquette County Highway 553, thence over Marquette County Highway 553 to junction unnumbered Michigan highway, thence over unnumbered Michigan Highway to the U. S. Air Force Installation and the K. I. Sawyer Air Port, (also from junction U. S. Highway 41 and unnumbered Michigan highway, southeast of Marquette, west over unnumbered Michigan highway to the U. S. Air Force Installation and the K. I. Sawyer Air Port), and (2) from Rockford over U. S. Highway 51 to junction Wisconsin Highway 26 at Janesville, Wis., thence over Wisconsin Highway 26 to junction U. S. Highway 41, near Oshkosh, Wis., thence over the above-described routes to the U. S. Air Force Installation and the K. I. Sawyer Air Port, and return over the same routes, serving no intermediate points. Applicant is authorized to conduct operations in Illinois and Wisconsin.

No. MC 108699 Sub 1, filed April 19, 1955, FRANK J. WALSH, Prospect Heights, Rensselaer, N. Y. Applicant's attorney: Morris Honig, 150 Broadway, New York 38, N. Y. For authority to operate as a *contract carrier*, over ir-



regular routes, transporting: *Gas meters, gas apparatus, and parts for gas meters and gas apparatus, and materials, supplies, equipment and machinery* necessary for and used in or incidental to the manufacture and shipping of gas apparatus, gas meters and parts for gas meters and gas apparatus, (1) between Erie, Pa., Albany, N. Y., Boston, Mass., Philadelphia, Pa., and Nebraska City, Nebr.; (2) between Erie, Pa., Philadelphia, Pa., Boston, Mass., Albany, N. Y., and Nebraska City, Nebr., on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, the District of Columbia, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, Iowa, Nebraska, and Kansas.

Note: Applicant states he presently holds authority to render service in part of the area above described. No duplication of authority is requested. Applicant is authorized to conduct operations in Connecticut, Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Wisconsin, and the District of Columbia.

No. MC 109584 Sub 21, filed April 19, 1955, ARIZONA-PACIFIC TANK LINES, 717 N. 21st Avenue, Phoenix, Ariz. Applicant's attorney: R. Y. Schureman, 639 S. Spring Street, Los Angeles 14, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Vegetable and animal oils and fats*, raw and refined, except tallow, in bulk, in tank vehicles, between points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Texas, Utah, and Washington. Applicant is authorized to conduct operations in Arizona and California.

No. MC 109734 Sub 69, filed March 28, 1955, SYSTEM TANK LINES, INC., 299 Adeline Street, Oakland, Calif. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Oreg. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, between Sacramento and Oleum, Calif., and points within ten miles of each, on the one hand, and, on the other, points in Utah. Applicant is authorized to conduct operations in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah and Washington.

No. MC 109734 Sub 71, filed April 11, 1955, SYSTEM TANK LINES, INC., 299 Adeline Street, Oakland, Calif. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Oreg. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum oils and greases*, in bulk, in tank vehicles, from El Segundo, Calif., and points within five (5) miles thereof, to points in Oregon and Washington. Applicant is authorized to conduct operations in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

No. MC 109734 Sub 72, filed April 11, 1955, SYSTEM TANK LINES, INC., 299 Adeline Street, Oakland, Calif. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Oreg. For authority to operate as a *common carrier*, over irregular routes, transporting:

*Petroleum and petroleum products*, in bulk, in tank vehicles, between points in Arizona. Applicant is authorized to conduct operations in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah and Washington.

No. MC 110436 Sub 13, ROBERTSON TRANSPORTS, INC., 5700 Polk, Houston, Tex. Applicant's attorney: Harry W. Patterson, San Jacinto Bldg., Houston 2, Tex. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, in tank trucks, (1) from Baytown, Tex., to points within a five mile radius of Oil Center, Jal, Eunice, Carlsbad, Gage, Deming, Hobbs, Gallup, and Farmington, N. Mex., including each of the named points, and (2) from Port Arthur, Tex., to points within a five mile radius of Jal, Eunice, and Monument, including each of the named points. Applicant does not hold permanent interstate authority from this Commission.

No. MC 111149 Sub 15, filed April 19, 1955, KILMER TRANSPORTATION CO., P. O. Box 429, Metuchen, N. J. Applicant's attorney: Bert Collins, 140 Cedar St., New York 6, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Earthenware*, from Mannington, W. Va. to points in Connecticut. Applicant is authorized to conduct operations in the District of Columbia and all states in the United States except Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

No. MC 111320 Sub 19, filed March 17, 1955, CURTIS KEAL TRANSPORT COMPANY, INC., East 54th Street and Cleveland Shoreway, Cleveland, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Ave., Cleveland 14, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Utility truck bodies, power take-off equipment, ladder extension towers, post hole diggers, pole line construction materials, and parts of the aforesaid commodities*, between Miami, and West Palm Beach, Fla., Griffin, and Savannah, Ga., Charleston, S. C., New Orleans, La., Phoenix, Ariz., Cleveland, Ohio, Boston, Mass., and those ports of entry located in New York, and Michigan on or near that portion of the United States-Canadian International Boundary line situated between the states of New York and Michigan, and the Dominion of Canada. The applicant is not presently specifically authorized to transport the commodities specified in this application but is authorized to transport motor vehicles, bodies, and cabs in and through the District of Columbia and all states in the United States excepting Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Vermont, Washington, and Wyoming, which may in some instances include transportation of utility truck bodies as now being applied for.

No. MC 111397 Sub 15, filed April 7, 1955, WADE E. DAVIS, doing business as DAVIS TRANSPORT, 2812 Kentucky Ave., Paducah, Ky. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from River Terminal at Birds

Point, Mo., to points in Illinois, Indiana, Kentucky, and Tennessee. Applicant is authorized to conduct operations in Kentucky, Tennessee, Missouri, and Illinois.

No. MC 112239 Sub 2, filed March 29, 1955, R. G. LOGAN, doing business as LOGAN TRUCKING CO., Eastern Avenue, South Beloit, Ill. Applicant's attorney: Ralph H. Haen, 1101 Broadway, Rockford, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Concrete pipe, pre-cast concrete slabs, and concrete manhole blocks*, from Chicago and Rock Island, Ill., to points in Indiana, Iowa, Minnesota, and Wisconsin, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return movement. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Minnesota, and Wisconsin.

No. MC 112239 Sub 3, filed March 29, 1955, R. G. LOGAN, doing business as LOGAN TRUCKING CO., Eastern Avenue, South Beloit, Ill. Applicant's attorney: Ralph H. Haen, 1101 Broadway, Rockford, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Forms and equipment used in the manufacture of concrete products*, between Chicago, South Beloit, and Rock Island, Ill., on the one hand, and, on the other, points in Indiana, Iowa, Minnesota and Wisconsin; *cement*, in bulk, in tank or compartment trucks, in truck loads, from Buffington, Ind., to South Beloit, Chicago, and Rock Island, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return movement.

No. MC 112617 Sub 13, filed April 8, 1955, LIQUID TRANSPORTERS, INC., P. O. Box 35, Cherokee Station, Louisville 5, Ky. For authority to operate as a *common carrier*, over irregular routes, transporting: *Chemicals and petroleum products*, in bulk, in tank vehicles, from Doe Run, Ky., to points in Minnesota, Iowa, Nebraska, Kansas, Oklahoma, Arkansas, Louisiana, Texas, and Florida. Applicant is authorized to conduct operations in Alabama, Kentucky, West Virginia, Ohio, Pennsylvania, Indiana, Michigan, Illinois, Tennessee, Maryland, Virginia, North Carolina, South Carolina, Georgia, Mississippi, Missouri, Wisconsin, and New Jersey.

No. MC 114001 Sub 1, filed March 25, 1955, OHIO NORTHERN TRUCK LINE, INC., 750 Andrews Avenue, Youngstown, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Avenue, Cleveland 14, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Iron pipe, iron tubing, iron wire, plain or coated, steel pipe, steel tubing, steel wire, plain or coated, bar steel and steel bars*, from Cleveland, Toledo, Warren and Youngstown, Ohio, to Buffalo, N. Y. Applicant is authorized to conduct operations in Ohio and Michigan.

No. MC 114001 Sub 2, filed March 25, 1955, OHIO NORTHERN TRUCK LINE, INC., 720 Andrews Avenue, Youngstown, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Avenue, Cleveland

14, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Empty bags, for repacking of salt and advertising matter* for advertising salt, from St. Clair and Marysville, Mich., to points in Ohio, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities, on return movement; and *empty returned pallets, platforms and skids*, used to transport metal products, from points in that part of Michigan on and east of U. S. Highway 27 and on and south of Michigan Highway 20 and south of Saginaw Bay, to Toledo, Ohio, and points in that part of Ohio on and north of U. S. Highway 30 and on and east of Ohio Highway 13.

No. MC 114885 Sub 2, filed April 13, 1955, TANK TRUCK TRANSPORT, LIMITED, a corporation, P. O. Box 116, Point Edward, Ontario, Canada. Applicant's attorney: Jack Goodman, 39 South La Salle St., Chicago 3, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Dimethylterephthalate*, in bulk, in special steel hopper bottom tank trailers, from Burlington, N. J., to those ports of entry which are located in New York at or near Cape Vincent on or near that portion of the United States-Canadian International Boundary line situated between New York and Canada at or close to Cape Vincent, N. Y. Applicant does not presently hold any authority from this Commission but has pending application on file in No. MC 114885 Sub 1 for common carrier authority as described therein. The applicant is also affiliated with Reid Transports, Ltd., through stock ownership, who holds authority from this Commission under Permit No. MC 109525 Sub 2, to perform contract carrier operations over the route or routes or within the territory as more particularly appears in the files of the Commission at its office in Washington, D. C.; therefore, section 210 matters may also be involved.

No. MC 115113, filed March 7, 1955, IOWA PACKERS EXPRESS, INC., Box 448, Fort Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut St., Des Moines 16, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting (1) *meats, meat products, and meat by-products, and articles distributed by meat-packing houses*, as defined in Parts A and C of the Appendix to the report in Modification of Permits-Packing House Products, Ex Parte No. MC 38, 46 M. C. C. 23, from Fort Dodge, Iowa, to Akron, Canton, Cleveland, Hamilton, Lima, Springfield, Toledo, Warren, Youngstown, and Zanesville, Ohio, and points in Connecticut, Delaware, the District of Columbia, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and (2) *carpets, rugs, and linoleum, and materials and supplies*, used in the installation of carpets, rugs, and linoleum, from Kearny, and Trenton, N. J., Wilmington, Del., and Marcus Hook, Pa., to Fort Dodge, and Waterloo, Iowa. Applicant does not presently hold any authority from this Commission.

No. MC 115197 Sub 1, filed April 21, 1955, AMERICAN TRANSPORT, INC., 1727 East Division St., P. O. Box 623, Springfield, Mo. Applicant's attorney: James F. Miller, 500 Board of Trade Bldg., Kansas City 6, Mo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank trucks, from the pipe line terminal of the Cherokee Pipe Line, located approximately seven (7) miles northeast of Mount Vernon, Mo., to Ava, Mo., and all points in that part of Missouri bounded by a line beginning at the Missouri-Kansas State line and extending along the Missouri-Iowa State line to junction U. S. Highway 63, thence along U. S. Highway 63 to junction U. S. Highway 60, thence along U. S. Highway 60 to the Missouri-Oklahoma State line, thence along the Missouri-Oklahoma State line to the Missouri-Kansas State line, and thence along the Missouri-Kansas State line to point of beginning, including points on the indicated portions of the highways specified, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities on return.

No. MC 115206, filed February 21, 1955 (Amended), ED B. HEITKEMPER, 317 N. W. 11th Avenue, Portland 9, Ore. Applicant's attorney: Earle V. White, 1401 N. W. 19th Avenue, Portland 9, Ore. For authority to operate as a *common carrier*, over irregular routes, transporting: *Wrecked or disabled motor vehicles and trailers*, in truckaway service (by means of "Towaway" only), between points in Oregon, on the one hand, and, on the other, points in Washington, Idaho, and that part of California on and north of U. S. Highway 299 from the Pacific Ocean to Alturas, Calif., thence on and north of an unnumbered highway to the California-Nevada State line.

No. MC 115243, filed March 14, 1955, SPECIAL DELIVERY, INC., 3401 North Dort Highway, Flint, Mich. Applicant's attorney: James W. Wrape, Sterick Building, Memphis 3, Tenn. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Kitchen equipment*, such as but not limited to ranges, dishwashers, garbage disposals, and combination dishwasher sinks and garbage disposals; *laundry equipment*, such as but not limited to washing machines, drying machines, ironers, and combinations thereof; *heating equipment*, such as but not limited to water heaters, furnaces, electric heaters, and heating coils; *cooling equipment*, such as fans and air coolers; *air-conditioning equipment*, such as air conditioners and de-humidifiers; *refrigerating equipment*, such as refrigerators, ice cream cabinets, display cabinets, compressors, and cooling coils, cooling cases, cooling fixtures, and ice cube makers, from Dayton, and Moraine, Ohio, to all points in the United States, except those in the States of Washington, Oregon, California, Arizona, Nevada, Idaho, and Utah.

No. MC 115282, filed March 30, 1955, MAX COHEN AND SAM BRENNER, doing business as A. B. C. TRUCKING, 1197

Grand Concourse, Bronx 52, New York, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Hardware and housewares*, such as is dealt in by wholesale dealers and retail stores, from points in New York to Asbury Park, N. J., and Bridgeport, Conn., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities on return.

No. MC 115286, filed March 31, 1955, ELMER ROBERT DAHLENBURG, doing business as DAHLENBURG, 238 Pike Street, Covington, Ky. Applicant's attorney: Thomas W. Hardesty, 203 Finance Building, Newport, Ky. For authority to operate as a *common carrier*, over irregular routes, transporting: *Horses, other than ordinary, stable supplies and equipment used in the care and exhibition of such horses, mascots and the personal effects of their attendants, trainers and exhibitors*, in the same vehicle with such horses, between points in Arkansas, Alabama, Delaware, Georgia, Florida, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Connecticut, New Hampshire, Tennessee, Texas and Vermont.

No. MC 115288 Sub 1, filed April 18, 1955, VERNON G. CARR, Mountain View, Mo. Applicant's attorney: J. R. Rose, Jefferson City, Mo. For authority to operate as a *contract carrier*, over a regular route, transporting: *Hardwood flooring*, from West Plains, Mo., to Chicago, Ill., operating from West Plains over U. S. Highway 63 to junction U. S. Highway 60, thence over U. S. Highway 60 to junction Missouri Highway 17, thence over Missouri Highway 17 to junction U. S. Highway 63, thence over U. S. Highway 63 to junction U. S. Highway 66, thence over U. S. Highway 66 to Chicago, and return over the same route, serving no intermediate points.

No. MC 115292, filed April 4, 1955, FRANK MICHAEL, 838 South Walnut St., Casper, Wyo. For authority to operate as a *common carrier*, over irregular routes, between April 1 and December 31 of each year inclusive, transporting: *Ore* (any material containing valuable metallic constituents for the sake of which it is mined and worked), between points in Wyoming.

No. MC 115292 Sub 1, filed April 4, 1955, FRANK MICHAEL, 838 South Walnut St., Casper, Wyo. For authority to operate as a *common carrier*, over irregular routes, between April 1 and December 31 of each year inclusive, transporting: *Ore* (any material containing valuable metallic constituents for the sake of which it is mined and worked), between points in Wyoming and South Dakota.

No. MC 115296, filed April 6, 1955, (Amended), GARRISON FAST FREIGHT, INC., 905 Smith Tower, Seattle, Wash. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities and commodities requiring special equipment*, except commodities of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those contaminating to other lading, between

Seattle, Wash., on the one hand, and, on the other, points in King, Pierce and Snohomish Counties, Wash. RESTRICTION: The service applied for to be restricted to traffic moving to and from the Territory of Alaska.

No. MC 115302, filed April 11, 1955, CLARENCE C. KNAPP, doing business as KNAPP'S WRECKER SERVICE, 170 Rockingham St., Bellows Falls, Vt. For authority to operate as a *common carrier*, over irregular routes, transporting: *Wrecked and disabled motor vehicles*, between Bellows Falls, Vt., on the one hand, and, on the other, points in Connecticut, New Jersey, Massachusetts, New Hampshire, and New York.

No. MC 115310 Sub 1, filed March 28, 1955, GOODWIN TRUCKING COMPANY, a corporation, Wake Village, Tex. Applicant's attorney: Ed E. Ashbaugh, 902 Wallace Building, Little Rock, Ark. For authority to operate as a *contract carrier*, over regular routes, transporting: *Empty ammunition boxes, cases and crates*, between Texarkana, Tex., and Schumaker Naval Ammunition Depot, Ouachita County, Ark., from Texarkana over U. S. Highway 82 to Waldo, Ark., thence over Arkansas Highway 98 to McNeil, Ark., thence over U. S. Highway 79 to Schumaker Naval Ammunition Depot (also from junction U. S. Highway 79 and Arkansas Highway 4 over Arkansas Highway 4 to Schumaker Naval Ammunition Depot), and return over the same routes, serving no intermediate points.

No. MC 115316, filed April 18, 1955, S. S. SURRETT, Post Office Box 354, Crossville, Tenn. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Feed*, from Springfield, Mo., to Greeneville, Loudon, and Rutledge, Tenn., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return movement.

No. MC 115320, filed April 20, 1955, JOSEPH WALSH, doing business as NORTH AMERICAN TRANSPORT CO., 5219 Perkins Ave., Cleveland, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Fluorine gas dispensers and helium transports*, between Cleveland, Ohio and points in Pennsylvania and New Jersey; *empty containers*, or other such incidental facilities (not specified) used in transporting the commodities specified in this application on return.

#### APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 599 Sub 1, filed April 15, 1955, BINGLER VACATION TOURS, INC., 140 Market Street, Paterson, N. J. Applicant's attorney: Edward G. Weiss, Citizens Trust Building, Paterson 1, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special round-trip seasonal operations, during the authorized racing seasons of each year, at said tracks, from New York, N. Y., to the Monmouth Park Race Track, Oceanport, N. J., the Garden State Race Track, Delaware, N. J., the Freehold Trotting Track, Freehold, N. J.,

the Atlantic City Race Track, Hamilton Township, N. J., the Delaware Park Race Track, Wilmington, Del., the Pimlico Race Track, Baltimore, Md., the Laurel Race Track, Laurel, Md., the Bowie Race Track, Bowie, Md., the Saratoga Race Track, Saratoga, N. Y., and the Lincoln Downs Race Track, Lincoln, R. I., and return. Applicant is authorized to conduct operations in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and the District of Columbia.

No. MC 1509 Sub 104, filed April 4, 1955, NORTHLAND GREYHOUND LINES, INC., 509 Sixth Avenue North, Minneapolis, Minn. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue, N. W., Washington 6, D. C. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage*, and *express, mail, and newspapers* in the same vehicle with passengers, between Madison, Minn., and junction Minnesota Highway 8 and U. S. Highway 212, from Madison over Minnesota Highway 40 to Marietta, Minn., thence over Minnesota Highway 8 to junction U. S. Highway 212, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Illinois, Iowa, Michigan, Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

No. MC 2890 Sub 30, filed April 13, 1955, AMERICAN BUSLINES, INC., 1341 "P" Street, Lincoln, Nebr. Applicant's attorneys: Curry and Dolan, Southern Building, Washington, D. C. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage*, and *express, mail, and newspapers*, in the same vehicle with passengers, between Bedford, Iowa, and junction Missouri Highway 27 and U. S. Highway 71, (approximately three (3) miles north of Maryville, Mo.), from Bedford over Iowa Highway 148 to the Iowa-Missouri State line, thence over Missouri Highway 27 to junction U. S. Highway 71, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Alabama, California, Colorado, Illinois, Iowa, Kansas, Michigan, Missouri, Montana, Nebraska, New York, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Wyoming, and the District of Columbia.

No. MC 58915 Sub 27, filed April 20, 1955, LINCOLN TRANSIT CO., INC., U. S. 46, East Paterson, N. J. Applicant's attorney: Robert E. Goldstein, 1407 Broadway, New York 18, N. Y. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage, express and newspapers*, in the same vehicle with passengers, between Wrightstown, N. J., and Vincentown, N. J., from Wrightstown over an unnumbered highway (Wrightstown-Pemberton Road), to junction with another unnumbered highway (Pemberton-Vincentown Road), and thence over said unnumbered highway to Vincentown, and return over the same route, serving all intermediate points. Applicant is authorized to con-

duct operations in New Jersey and New York.

No. MC 58915 Sub 28, filed April 20, 1955, LINCOLN TRANSIT CO., INC., U. S. 46, East Paterson, N. J. Applicant's attorney: Robert E. Goldstein, 1407 Broadway, New York 18, N. Y. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage, express and newspapers*, in the same vehicle with passengers, between Wrightstown, N. J., and New Hanover Township, N. J., from Wrightstown, over the Burlington County Spur Road 528, to the entrance of the McGuire Air Force Base, New Hanover Township, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in New Jersey and New York.

No. MC 115299, filed April 7, 1955, THIESSEN TRANSPORTATION, LTD., 322 Kennedy Street, Winnipeg, Manitoba, Canada. Applicant's attorney: Lee F. Brooks, 405 First National Bank Bldg., Fargo, N. Dak. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, from the International Boundary between the United States and Canada at ports of entry at or near Noyes, Minn., and Neche, N. Dak., to points in North Dakota, Minnesota, Wisconsin, Illinois, Michigan, Ohio, Indiana, Pennsylvania, and New York, and return.

#### BROKERS

No. MC 12626, filed April 13, 1955, MORRIS GORELICK, 1916 S. Crescent Heights Blvd., Los Angeles 34, Calif. For authority to conduct operations at Los Angeles, Calif., as a broker in arranging for the transportation, in interstate or foreign commerce, by motor vehicle, of *general commodities*, including *articles of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment*, but excluding household goods as defined by the Commission, and livestock, between all points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

#### APPLICATIONS UNDER SECTION 5 AND 210a (b)

No. MC-F-5961. Authority sought for control by TERMINAL TRANSPORT COMPANY, INC., 180 Harriet St., S. E., Atlanta 1, Ga., of the operating rights and property of JOHNSON FREIGHT LINES, INC., 420 Sixth Ave., South, Nashville, Tenn., and for acquisition by JOE KATZ, STAR TRACTOR CORP., and HOSSIER TRAILER CORP., Atlanta, Ga., of control of the operating rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South LaSalle St., Chicago, Ill., and George H. Cate, Sr., 508 Stahlman Bldg., Nashville, Tenn. Operating rights sought to be controlled: *General commodities*, with certain exceptions, including household goods, as a *common carrier*, over regular routes, between Nashville, Tenn., and Atlanta, Ga., between Nashville, Tenn., and Cincinnati, Ohio, serving certain

intermediate and off-route points; between Atlanta, Ga., and the U. S. Army Fourth Corps Area Supply Depot at Conley, Ga., serving no intermediate points; *General commodities*, with certain exceptions, not including household goods, between Nashville, Tenn., and Cave City, Ky., serving no intermediate points; *general commodities*, with certain exceptions, including household goods, over alternate regular routes for operating convenience only, between Stanford, Ky., and junction of U. S. Highway 27 and Kentucky Highway 34, and between Lexington, Ky., and junction of U. S. Highways 25 and 42, at Florence, Ky., and between Chattanooga, Tenn., and Cincinnati, Ohio. Applicant is authorized to operate in Florida, Georgia, Illinois, Indiana, Kentucky, Tennessee, and Alabama. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-5962. Authority sought for purchase by JOSEPH F. WENZEL, doing business as RIVER TRAILS TRANSIT LINES, 340 Central Ave., Dubuque, Iowa, of the operating rights of JEFFERSON TRANSPORTATION CO., 1114 Currie Ave., Minneapolis, Minn. Person to whom correspondence is to be addressed: L. P. Wakefield, 1114 Currie Ave., Minneapolis, Minn. Operating rights sought to be transferred: *Passengers*, as a *common carrier*, over regular routes, between Decorah, Iowa, and Dubuque, Iowa, serving all intermediate points. Vendee is authorized to operate in Wisconsin and Iowa. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-5963. Authority sought for control and merger by INLAND FREIGHT LINES, 1370 South Second West, Salt Lake City, Utah, of the operating rights and property of BEE FREIGHT LINES, East 52nd Ave., and Colorado Blvd., Denver, Colo., UINTAH FREIGHT LINES, 1370 South Second West, Salt Lake City, Utah, and EASTERN UTAH TRANSPORTATION COMPANY, 1370 South Second West, Salt Lake City, Utah, and for acquisition by RAY LLEQUIST, A. FRED DIPO, Salt Lake City, Utah, and AXEL NELSON, Berkeley, Calif., of control of the operating rights and property through the transaction. Applicants' attorney: Lynn S. Richards, 716 Newhouse Bldg., Salt Lake City, Utah. Operating rights sought to be controlled and merged: (Bee Freight Lines) an operation under the Second Proviso of section 206 (a) (1) of the act; (Uintah Freight Lines) *general commodities*, except household goods, as defined by the Commission, as a *common carrier*, over regular routes, between Salt Lake City, Utah, and Vernal, Utah, serving certain intermediate points; and (Eastern Utah Transportation Company) *general commodities*, except household goods as defined by the Commission, as a *common carrier*, over regular routes, between Price, Utah, and the Utah-Colorado State line, serving certain intermediate and off-route points; *general commodities*, with certain exceptions, including household goods, between junction U. S. Highway 40 and Utah-Colorado State line, and

Rangely, Colorado, serving all intermediate points and certain off-route points; *petroleum, petroleum products, machinery, materials, supplies, and equipment*, incidental to, or used in the construction, development, operation and maintenance of facilities for the discovery, development and production of natural gas and petroleum, over irregular routes, between points in that part of Colorado within 30 miles of Rangely, Colo., including Rangely; between points in a specified territory of Colorado, on the one hand, and, on the other, points in a described portion of Utah. Inland Freight Lines is authorized to operate in Utah and California. Application has not been filed for temporary authority under section 210a (b).

NOTE: Instant application directly related to MC-102308 Sub 18, published in this issue.

No. MC-F-6964. Authority sought for purchase by LOUIS PATZ, doing business as HARPER MOTOR LINES, 220 North McIntosh, St., Elberton, Ga., of the operating rights and property of WHITE TRUCK LINE, INC., 1534 Jonesboro Road, S. E., Atlanta, Ga. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Bldg., Atlanta 5, Ga. Operating rights sought to be transferred: Proviso operation, as a *common carrier*, in Georgia. Vendee is authorized to operate in Georgia, New York, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, Delaware, Indiana, Kentucky, Michigan, Ohio, Tennessee, West Virginia, Missouri, Illinois, North Carolina, Wisconsin, Massachusetts, Rhode Island, Connecticut, Iowa, Minnesota, Alabama, Florida, Mississippi, and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-5965. Authority sought for purchase by ELIZABETH A. ATKINSON, (LEONARD MICHAEL PROPPER, TRUSTEE), JOSEPH B. ATKINSON, CHARLES H. ATKINSON and ELIZABETH M. ATKINSON, a partnership, doing business as HARRY F. ATKINSON & SONS, 4222 Main St., Philadelphia, Pa., of the operating rights of MICHAEL KELLMAN, doing business as M. KELLMAN, 240 East Thompson St., Philadelphia, Pa. Applicant's attorney: James L. Price, 2000 Packard Bldg., Philadelphia, Pa. Operating rights sought to be transferred: *General commodities*, with certain exceptions, including household goods, restricted to salvaged or bankrupt stocks, as a *common carrier*, over irregular routes, from Baltimore, Md., New York, N. Y., and points in Delaware and New Jersey, to Philadelphia, Pa.; *such general merchandise* as is dealt in by wholesale and retail food houses, from Philadelphia, Pa., to Wilmington, Del., and points in New Jersey within 35 miles of Camden, N. J., including Camden; *building materials, household furnishings, chemicals, store furnishings and supplies, paper and paper products, oil in containers, drugs, hardware, utility cabinets, alcoholic and malt beverages, commercial alcohol, chinaware, resin, and soda fountains*, from, to and between points in Pennsylvania, Delaware, New Jersey, New York, and Maryland. Vendee is authorized to operate

in Pennsylvania, New Jersey, and New York. Application has been filed for temporary authority under section 210a (b).

No. MC-F-5966. Authority for purchase by E. L. FARMER & COMPANY, 300 South Grant St., Odessa, Tex., of the operating rights and property of U. S. TRUCK LINE, 6835 Avenue V, Houston, Tex., and for acquisition by J. C. FERGUSON, Odessa, Tex., of control of the operating rights and property through the purchase. Applicant's attorney: Charles D. Mathews, 1020 Brown Bldg., Austin, Tex. Operating rights sought to be transferred: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, as a *common carrier*, over irregular routes, between points in Alabama, Arkansas, Florida, Louisiana, and Texas, between points in Mississippi, on the one hand, and, on the other, points in Alabama and Florida. Vendee is authorized to operate in New Mexico, Kansas, Colorado, Montana, Texas, Arizona, Utah, Oklahoma and Wyoming. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-5967. Authority sought for purchase by OLD DOMINION FREIGHT LINE, 903 Catherine St., Richmond, Va., of the operating rights and property of MRS. RUBY B. NELMS, doing business as SMITHFIELD LINE, Smithfield, Va., and for acquisition by L. F. CONGDON, EARL E. CONGDON, JR., and JOHN R. CONGDON, Richmond, Va., of control of the operating rights and property through the purchase. Applicants' attorney: Jno. C. Goddin, 1304 State-Planters Bank Bldg., Richmond, Va. Operating rights sought to be transferred: *General commodities*, with certain exceptions, including household goods, as a *common carrier*, over a regular route, between Smithfield, Va., and Norfolk, Va., serving no intermediate points, with service at the off-route point of Battery Park, Va., Vendee is authorized to operate in Virginia. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F. R. Doc. 55-3587; Filed, May 3, 1955;  
8:47 a. m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 29, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 30567: Sand and Gravel from Blacksburg, S. C. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on sand and gravel, carloads, from Blacksburg, S. C., to specified points in Virginia and West Virginia.

Grounds for relief: Circuitous routes. Tariff: Supplement 2 to Agent Spaninger's I. C. C. 1469.

FSA No. 30568: Slag, Birmingham, Ala., and Group to Whistler, Ala. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on slag, carloads, from Birmingham, Bessemer, Ensley, Fairfield and Woodward, Ala., to Whistler, Ala.

Grounds for relief: Circuitry and destination relations. Tariff: Supplement 2 to Agent Spaninger's I. C. C. 1469.

FSA No. 30569: Vermiculite, from, to and between the South. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on vermiculite, carloads, between points in southern territory and between points in southern territory, on one hand, and points in trunk-line territory in Virginia, on the other.

Grounds for relief: Short-line distance formula and circuitry. Tariff: Supplement 2 to Agent Spaninger's I. C. C. 1469.

FSA No. 30570: Sugar—Washington points to Dodgeville, Wis. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on sugar, beet or cane, carloads, from Scalley, Sugar Spur, and Toppenish, Wash., to Dodgeville, Wis.

Grounds for relief: Destination relations and circuitry. Tariff: Supplement 11 to Agent Prueter's I. C. C. 1567.

FSA No. 30571: Stoves—St. Louis, Mo., Group to New Orleans, La. Filed by R. G. Raasch, Agent, for interested rail carriers. Rates on stoves, ranges and heaters, carloads, from St. Louis, Mo., and East St. Louis, Ill., to New Orleans, La.

Grounds for relief: Circuitry. Tariff: Supplement 400 to Agent Raasch's I. C. C. 485.

FSA No. 30572: Caustic Soda—Charleston, W. Va., Group to Foley, Fla. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on caustic soda, liquid, in tank-car loads, from Charleston, Elk, Ownes, South Owens, South Charleston, and South Ruffner, W. Va., to Foley, Fla.

Grounds for relief: Market competition and circuitry. Tariff: Supplement 68 to Agent Hinsch's I. C. C. 4510.

FSA No. 30573: Salt Cake—Nitro, W. Va., to North Carolina points. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on salt cake (crude sulphate of soda) carloads, from Nitro, W. Va., to Charlotte, Greensboro, and High Point, N. C.

Grounds for relief: Circuitry. Tariff: Supplement 68 to Agent Hinsch's I. C. C. 4510.

FSA No. 30574: Sugar—Washington and Montana to Illinois. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on beet or cane sugar, carloads, from Scalley, Sugar Spur, and

Toppenish, Wash., Billings, Missoula, and Sidney, Mont.

Grounds for relief: Market competition and circuitry.

Tariff: Supplements Nos. 47 and 11, respectively, to Agent Prueter's I. C. C. Nos. 1560 and 1567.

FSA No. 30575: Lumber to Martinsville, Va., and group. Filed by Atlantic Coast Line Railroad Company, for interested rail carriers. Rates on lumber and related articles, carloads, from Ahoskie, N. C., and points taking same rates to Martinsville, Va., and grouped points taking same rates.

Grounds for relief: Circuitous routes. By the Commission.

[SEAL] HAROLD D. MCCOY, Secretary.

[F. R. Doc. 55-3586; Filed, May 3, 1955; 8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

SMYRNA, TENN.

DESIGNATION OF COMMUNITY FACILITIES PROJECT

By virtue of the authority vested in me by Executive Order 10296 of October 2, 1951, as amended by Executive Orders No. 10433 of February 4, 1953, and No. 10593 of January 26, 1955, and pursuant to the provisions of section 104 (b) of the Defense Housing and Community Facilities and Services Act of 1951, as amended, I hereby designate the following project for which agreements may be made to extend assistance for the provision of community facilities or services under Title III of said act:

In the Town of Smyrna, Tennessee, in the Smyrna, Tennessee Critical Defense Housing Area, which was determined to be a Critical Defense Housing Area on February 5, 1952 (17 F. R. 1166)—additions and improvements to the existing water works system, including a deep well and casing, service pump, storage tank, mains and appurtenances; additions and improvements to the existing sanitary sewer system, including mains, collecting sewers, pumping station, manholes and appurtenances.

Dated: May 2, 1955.

ARTHUR S. FLEMMING, Director.

[F. R. Doc. 55-3653; Filed, May 2, 1955; 2:54 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-625]

ARKANSAS-MISSOURI POWER Co.

NOTICE OF FILING OF APPLICATION FOR EXEMPTION

APRIL 27, 1955.

Notice is hereby given that Arkansas-Missouri Power Company ("Applicant"), a corporation organized under the laws of the State of Arkansas, which is both a holding company and a public utility company, has filed with this Commission an application for an order pursuant to

section 3 (a) (2) of the Public Utility Holding Company Act of 1935 ("act") exempting it as a holding company and all its subsidiaries as such from all provisions of the act. Reference is made to said application for a complete statement of the allegations therein contained, which may be summarized as follows:

Applicant alleges that it is predominantly a public-utility company whose operations as such do not extend beyond the State of Arkansas, in which it is organized, and the contiguous State of Missouri. As an operating company it is engaged in rendering electric and natural gas utility service in parts of northeastern Arkansas and southeastern Missouri. Applicant is a holding company by reason of its ownership of all of the outstanding voting securities of Associated Natural Gas Company ("Associated"), a Delaware corporation, which is a public utility company engaged in purchasing, transmitting and distributing natural gas in southeastern Missouri. Applicant is also engaged, through two wholly-owned subsidiaries, in the manufacture and sale of ice. Such non-utility operations constitute a very small and diminishing percentage of Applicant's business.

On March 11, 1953, Applicant acquired the aforesaid securities of Associated and on March 22, 1953, Applicant filed with this Commission an application under section 3 (a) (2) of the act requesting a temporary exemption for one year, during which it was contemplated that Associated would be merged into Applicant. The requested exemption was granted. (See Holding Company Act Release Nos. 12107 and 12144.) The contemplated merger has not been consummated and Applicant requests a permanent exemption under section 3 (a) (2) of the act although it states that it still intends in due course to merge Associated into itself.

Applicant's consolidated balance sheet at December 31, 1954, shows electric utility plant in the amount of \$20,873,999 and gas utility plant in the amount of \$6,985,312, including Associated's gas utility plant in the amount of \$3,191,605. Applicant's consolidated income statement for the year 1954 shows utility revenues of \$9,187,222, including electric revenues in the amount of \$7,635,707 (about 83 percent) and gas revenues in the amount of \$1,551,515 (about 17 percent). For the same period the operating revenues of Associated, all derived from the sale of natural gas, amounted to \$946,257, representing 10.3 percent of consolidated utility revenues and 11.5 percent of those of its parent.

As of December 31, 1954, Applicant's consolidated capitalization was as follows:

	Amount	Percent
Long-term debt.....	\$14,620,000	61.4
Preferred stock.....	2,750,000	11.5
Common stock and surplus...	6,442,978	27.1
Total.....	23,812,978	100.00

<sup>1</sup> Includes \$2,225,000 long-term debt of Associated held by the public.

Applicant further states it is subject to comprehensive regulation by the Public Service Commissions of Arkansas and Missouri, and to limited regulation by the Federal Power Commission.

Notice is further given that any interested person may, not later than May 31, 1955, at 5:30 p. m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact, or law, if any, raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said application may be granted as filed or as amended, or the Commission may take such other action as it may deem proper under the circumstances.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 55-3588; Filed, May 3, 1955;  
8:48 a. m.]

#### NATIONAL FUEL GAS CO. ET AL.

#### NOTICE OF FILING REGARDING PROPOSED REDUCTION IN PAR VALUE OF CAPITAL STOCK AND PAYMENT OF DIVIDEND OUT OF CAPITAL SURPLUS

APRIL 27, 1955.

In the matter of National Fuel Gas Company, Pennsylvania Gas Company, Pennsylvania Oil Company; File No. 70-3359.

Notice is hereby given that National Fuel Gas Company ("National Fuel"), a registered holding company, and its direct public-utility subsidiary, Pennsylvania Gas Company ("Pennsylvania Gas"), and its indirect wholly owned non-utility subsidiary, Pennsylvania Oil Company ("Pennsylvania Oil"), have filed a joint declaration with this Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6 (a), 7 and 12 (c) of the act and Rule U-46 promulgated thereunder as applicable to said filing. All interested persons are referred to said joint declaration which is on file in the offices of the Commission for a statement of the transactions proposed therein, which are summarized as follows:

Pennsylvania Oil proposes (a) to reduce the par value of its outstanding capital stock from \$1 per share to 50 cents per share so that the 576,000 outstanding shares will have an aggregate par value of \$288,000 and (b) to pay a cash dividend of \$288,000 out of the capital surplus which will be created by and result from said reduction in the par value of the capital stock. According to the joint declaration, as at December 31, 1954, Pennsylvania Oil had only \$6,607 of earned surplus but has at least \$288,000 in funds in excess of its requirements and that its parent, Pennsylvania Gas, will be in need of additional working capital to be used in connection with its 1955 construction pro-

gram. It is represented that when an amendment to Pennsylvania Oil's Articles of Incorporation to accomplish the proposed reduction in par value is filed and approved by the Department of State of Pennsylvania, the payment of the dividend out of capital surplus will not be unlawful under the laws of the Commonwealth of Pennsylvania and will not violate the legal rights of the holders of any securities issued by any company in the National Fuel holding company system.

The filing further states that the fees and expenses to be incurred in connection with the proposed transactions will not exceed an aggregate of \$1,000 including \$900 for legal fees and expenses. It is requested that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than May 18, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said filing which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said joint declaration, as filed or as amended, may be permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may make such other action as it deems appropriate under the circumstances.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 55-3590; Filed, May 3, 1955;  
8:48 a. m.]

[File No. 70-3364]

#### NATIONAL FUEL GAS CO. AND MARS CO.

#### NOTICE OF FILING REGARDING PROPOSED REDUCTION IN PAR VALUE OF CAPITAL STOCK AND PAYMENT OF DIVIDEND OUT OF CAPITAL SURPLUS

APRIL 27, 1955.

Notice is hereby given that National Fuel Gas Company ("National Fuel"), a registered holding company, and its wholly owned non-utility subsidiary company, The Mars Company ("Mars"), have filed a joint declaration with the Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 (the "act") and have designated sections 6 (a), 7 and 12 (c) of the act and Rule U-46 promulgated thereunder as applicable to said filing. All interested persons are referred to said joint declaration which is on file in the offices of the Commission for a statement of the transactions proposed therein, which are summarized as follows:

Mars proposes (a) to reduce the par value of its outstanding 100,000 shares of capital stock from \$10 per share to \$5 per share or \$500,000 in the aggregate and (b) to pay a cash dividend of not

more than \$500,000 out of the capital surplus which will be created by and result from said reduction in the par value of the capital stock. According to the joint declaration, as at December 31, 1954 Mars had only \$23,000 of earned surplus but has ample current assets in the form of marketable securities to provide cash to pay the proposed dividend and still have sufficient working capital for its current and foreseeable needs, and its parent, National Fuel, will place the proceeds from this proposed dividend in its treasury for use in financing certain of its other subsidiaries engaged in the public-utility business. It is represented that when an amendment to Mars' Articles of Incorporation to accomplish the proposed reduction in par value is filed and approved by the Department of State of Pennsylvania, the payment of a dividend out of capital surplus will not be unlawful under the laws of the Commonwealth of Pennsylvania and will not violate the legal rights of the holders of any securities issued by any company in the National Fuel holding company system.

The filing further states that the fees and expenses to be incurred in connection with the proposed transactions will not exceed an aggregate of \$1,050 including \$500 for legal fees and expenses. It is requested that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than May 18, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said filing which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said joint declaration, as filed or as amended, may be permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may take such other action as it deems appropriate under the circumstances.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 55-3589; Filed, May 3, 1955;  
8:48 a. m.]

## UNITED STATES TARIFF COMMISSION

[Investigation 6]

DAIRY PRODUCTS

PEANUTS NOT INCLUDED IN SUPPLEMENTAL  
INVESTIGATION

On April 12, 1955, the Tariff Commission instituted an investigation under the provisions of section 22 (d) of the Agricultural Adjustment Act, as amended, supplemental to its Investigation No. 6 under section 22 of the said act, to determine whether changed circumstances require certain modifications

to be made in Presidential proclamation 3010 of June 8, 1953 (18 F. R. 3361), as amended by proclamation 3025 dated June 30, 1953 (18 F. R. 3815), to carry out the purposes of the said section 22. Thereafter the Commission, on April 13, 1955, issued a public notice of the institution of this investigation and of the public hearing to be held in connection therewith on May 10, 1955.

The foregoing notice of April 13, 1955, included all the articles designated in lists I and II appended to proclamation 3019 of June 8, 1953. Said list II designates certain types of cheeses and also peanuts. It is not intended that the supplemental investigation instituted April 12, 1955, include peanuts. The notice issued on April 13, 1955, therefore, is hereby modified accordingly.

Issued: April 29, 1955.

By order of the Commission.

[SEAL] DONN N. BENT,  
Secretary.

[F. R. Doc. 55-3617; Filed, May 3, 1955;  
8:53 a. m.]

**DEPARTMENT OF LABOR**

**Wage and Hour Division**

**LEARNER EMPLOYMENT CERTIFICATES**

**ISSUANCE TO VARIOUS INDUSTRIES**

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

**Apparel Industry Learner Regulations** (29 CFR 522.80 to 522.85, as amended April 19, 1955, 20 F. R. 2304).

The Davidson Bros. Corp., Royal Square, West Warwick, R. I., effective 4-20-55 to 3-8-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (nightgowns, slips, etc.) (replacement certificate).

Ecrú Manufacturing Co., Ecrú, Miss.; effective 5-1-55 to 4-30-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts).

Ely and Walker Dry Goods Co., Illmo, Mo.; effective 4-30-55 to 4-29-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees, etc.).

The Enro Shirt Co., Inc., Madisonville, Ky.; effective 4-29-55 to 4-28-56; 10 percent of the total number of factory production

workers for normal labor turnover purposes (sport shirts).

Freeland Dress Co., Inc., 721 Birkbeck Street, Freeland, Pa.; effective 5-1-55 to 4-30-56; 5 learners for normal labor turnover purposes (children's dresses).

General Garment Manufacturing Co., Inc., Lawrenceville, Va.; effective 5-5-55 to 5-4-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

General Garment Manufacturing Co., Inc., Petersburg, Va.; effective 4-21-55 to 4-20-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

Granby Manufacturing Co., Inc., Granby, Mo.; effective 4-18-55 to 4-17-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work trousers).

Harvic Sportswear, Inc., Sweet Valley, Pa.; effective 4-27-55 to 4-26-56; 5 learners for normal labor turnover purposes (dresses).

Hollywood Maxwell Co., 407 Main Street, Arkadelphia, Ark.; effective 5-4-55 to 5-3-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (brassieres).

Irene Sportswear Co., Main Street, Nicholson, Pa.; effective 5-6-55 to 5-5-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' blouses).

The Joanie Jan Co., Walnut Ridge, Ark.; effective 5-8-55 to 5-7-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (wash frocks).

La Follette Shirt Co., Inc., La Follette, Tenn.; effective 4-7-55 to 5-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dress and sport shirts).

Loomcraft Frocks, Inc., Dewey and Bowman Streets, Dickson City, Pa.; effective 4-25-55 to 4-24-56; 10 learners for normal labor turnover purposes (children's dresses).

Lyons Manufacturing Co., Inc., Lyons, Ga.; effective 4-27-55 to 4-26-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts).

Monroe Trouser Manufacturing Co., Inc., Smithville, Miss.; effective 4-21-55 to 10-20-55; 25 learners for plant expansion purposes (trousers).

Pontotoc Manufacturing Co., Pontotoc, Miss.; effective 5-1-55 to 4-30-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts).

Princess Peggy, Inc., Vandalla Division, Vandalla, Ill.; effective 4-20-55 to 4-19-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton dresses).

Rebel Garment Co., Magee, Miss.; effective 4-23-55 to 4-22-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (shirts and dungarees).

Salemburg Manufacturing Co., Salemburg, N. C.; effective 4-18-55 to 10-17-55; 20 learners for plant expansion purposes (women's dresses).

Henry I. Seigel Co., Inc., Hohenwald, Tenn.; effective 4-25-55 to 10-24-55; 100 learners for plant expansion purposes (work clothing).

Streamline Garment Corp., 1010 West Main Street, West Frankfort, Ill.; effective 5-4-55 to 5-3-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Summit Sportswear, 44 West Ludlow Street, Summit Hill, Pa.; effective 4-18-55 to 4-17-56; 5 learners for normal labor turnover purposes (blouses).

Wellington Manufacturing Co., Okolona, Miss.; effective 4-21-55 to 4-20-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (trousers).

**Hosiery Industry Learner Regulations** (29 CFR 522.40 to 522.43 as amended April 19, 1955, 20 F. R. 2304).

Elizabeth City Hosiery Mills, Elizabeth City, N. C.; effective 4-19-55 to 4-18-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned).

Lawler Hosiery Mills, Inc., 53 Bradley Street, Carrollton, Ga.; effective 4-22-55 to 4-21-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Silver Knit Hosiery Mills, Inc., 401 South Hamilton Street, High Point, N. C.; effective 4-25-55 to 4-24-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

**Glove Industry Learner Regulations** (29 CFR 522.60 to 522.65 as amended April 19, 1955, 20 F. R. 2304).

Riegel Textile Corp., Brundidge, Ala.; effective 4-22-55 to 10-21-55; 30 learners for expansion purposes (work gloves).

**Knitted Wear Industry Learner Regulations** (29 CFR 522.30 to 522.35 as amended April 19, 1955, 20 F. R. 2304).

Bashore Knitting Mills Co., 365 Garfield Avenue, Schuylkill Haven, Pa.; effective 4-29-55 to 4-28-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's briefs, etc.).

**Regulations Applicable to the Employment of Learners** (29 CFR 522.1, 522.12, as amended February 28, 1955, 20 F. R. 645).

The following special learner certificate was issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning periods and the learner wage rates are indicated, respectively.

Rico Glove Corp., Bo. Maton Abajo, Cayey, P. R.; effective 4-19-55 to 10-18-55; 20 learners as sewing machine operators; 240 hours at 32 cents an hour and 240 hours at 40 cents an hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 25th day of April 1955.

MILTON BROOKE,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 55-3584; Filed, May 3, 1955;  
8:46 a. m.]

