FEDERAL REGISTER

VOLUME 34 • NUMBER 144

Wednesday, July 30, 1969 • Washington, D.C.

Pages 12421–12483

Agencies in this issue—

Detailed list of Contents appears inside.

FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $2.50 per month or $25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

Contents

(Continued on next page)

List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

5 CFR
213 12425
294 12425

7 CFR
102 12426
905 12426
910 12427
913 12428
922 12429
PROPOSED RULES:
919 12445
1138 12445

12 CFR
204 (2 documents) 12430
217 12430

13 CFR
121 12431

14 CFR
PROPOSED RULES:
25 12450
71 12451

16 CFR
PROPOSED RULES:
422 12449

18 CFR
157 12432

19 CFR
4 12433
10 12433

20 CFR
614 12433

21 CFR
120 12434
138 12435

22 CFR
121 12437

33 CFR
110 12436

35 CFR
67 12437

36 CFR
PROPOSED RULES:
31 12443

42 CFR
PROPOSED RULES:
79 12447

46 CFR
310 12438

47 CFR
PROPOSED RULES:
74 12452

49 CFR
1 12438
PROPOSED RULES:
1002 12452

50 CFR
10 12438

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development

Section 213.3384 is amended to show that one position of Special Assistant to the Assistant Secretary for Research and Technology is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (2) is added to paragraph (g) as set out below.

§ 213.3384 Department of Housing and Urban Development.

* * * * *

(g) *Office of the Assistant Secretary for Research and Technology.* * * *

(2) One Special Assistant to the Assistant Secretary.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-8973; Filed, July 29, 1969; 8:50 a.m.]

PART 294—AVAILABILITY OF OFFICIAL INFORMATION

Miscellaneous Amendments

Part 294 is amended in several respects as follows: (1) § 294.105(a) is amended to supply the correct title of the Bureau of Retirement, Insurance, and Occupational Health; (2) a new § 294.109 is added to control the release of information relative to deceased employees; (3) § 294.702 is revised so that paragraph (a) makes clear that both past and present information is covered by the disclosure requirement, a new paragraph (d) is added to set out the controls on the release of information from the records of former employees, a new paragraph (e) is added to allow the release of information to State and local taxing authorities, and former paragraph (d) is redesignated as paragraph (f); (4) § 294.703 is amended to clarify an employee's right to allow the disclosure of his Official Personnel Folder and to clarify the handling of requests from outside the executive branch for loyalty or security information; and (5) a new Subpart K is added consisting of § 294.1101 which controls the disclosure of the leave records of employees. These amendments read as follows:

(1) Section 294.105(a) is amended as set out below:

§ 294.105 Places where information may be obtained.

(a) A request for information should be directed to the bureau or staff office of the Commission, 1900 E Street NW., Washington, D.C. 20415, which is responsible for the subject matter concerned as indicated in this paragraph:

Subject matter—	Bureau or staff office—
Policy and interpretations.	Bureau of Policies and Standards.
Medical information.	Medical Division, Bureau of Retirement, Insurance, and Occupational Health.
Examinations and related subjects.	Bureau of Recruiting and Examining.
Investigations	Bureau of Personnel Investigations.
Official Personnel Folder.	Bureau of Policies and Standards.
Appeals	Bureau of Policies and Standards.
Retirement, health benefits, life insurance, and occupational health and safety.	Bureau of Retirement, Insurance, and Occupational Health.

The bureau or staff office concerned will advise where information that may be disclosed can be examined or copied or copies thereof obtained. A request for information on a subject matter not specifically referred to in this paragraph should be directed to the Office of Public Affairs, U.S. Civil Commission, 1900 E Street NW., Washington, D.C. 20415, which will assist the press and advise other inquirers where contact for the information should be made.

(2) New section 294.109 is set out below.

§ 294.109 Deceased employees.

A right under this part to the disclosure of, and to control the disclosure of, information personal to an employee, former employee, annuitant, or applicant passes on his death to the executor or administrator of his estate, or in the absence of an executor or administrator to his next of kin.

(3) Section 294.702 is revised as set out below.

§ 294.702 Availability of information.

(a) The name, present and past position titles, grades, salaries, and duty stations (which include room numbers, shop designations, or other identifying information regarding buildings or places of employment) of a Government employee is information available to the public, except when:

(1) The release of that information is prohibited under law or Executive order in the interest of national defense or foreign policy;

(2) The information is sought for the purpose of commercial or other solicitation; or

(3) There is reason to believe that the information is sought for political purposes or purposes which may violate the political activity prohibitions in subchapter III of chapter 73 of title 5, United States Code, or which may violate other law.

(b) In addition to the information that may be made available under paragraph (a) of this section, the following information may be made available to a prospective employer of a Government employee or former Government employee:

(1) Tenure of employment;

(2) Civil service status;

(3) Length of service in the agency and the Government; and

(4) When separated, the date and reason for separation shown on the Notification of Personnel Action, Standard Form 50.

(c) In addition to the information to be made available under paragraphs (a) and (b) of this section, the home address of an employee shall be made available to a police or court official on receipt of a proper request stating that an indictment has been returned against the employee or that a complaint, information, accusation, or other writ involving nonsupport or a criminal offense, has been filed against him and his address is needed for service of a summons, warrant, subpoena, or other legal process.

(d) The General Services Administration, National Archives and Records Service, may make information from the Official Personnel Folder of an employee separated from the service available to a person engaged in research for historical or educational purposes or for similar purposes when the person has a researcher's pass to the administrative records of the agency from which the employee was separated. Except as provided in § 294.703(a) of this part, information made available under this paragraph shall be in the form of an abstract of the former employee's service in the Government and, when he has been separated at least 5 years, an abstract of his educational and experience background as reflected in his application for employment with the Government. Information that is derogatory to the former employee shall not be made available under this paragraph.

(e) In addition to the information to be made available under paragraph (a) of this section, the social security number and place of actual residence shall be disclosed to a State or local taxing authority, or both, as provided in Bureau of the Budget Circular No. A-38, revised.

(f) Except as provided in paragraphs (a) through (e) of this section, information required to be included in an Official Personnel Folder by the instructions of the Commission is not available to the public.

(4) Section 294.703 is amended as set out below:

§ 294.703 Access to folder.

(a) The Official Personnel Folder of a Government employee or former Government employee shall be disclosed to him, or to his representative designated in writing, or to any other person who has the written consent of the employee or former employee or the written consent of the person who has this right under § 294.109, of this part. However, the disclosure must be in the presence of a representative of the agency having physical custody of the Folder, and before disclosure the following information shall be removed from the Folder:

(1) Medical information the disclosure of which is proscribed by § 294.401;

(2) Test material the disclosure of which is proscribed by § 294.501; and

(3) Investigative reports the disclosure of which is proscribed by § 294.601.

(b) On official request, an Official Personnel Folder shall be disclosed to a Member of Congress, a representative of a congressional committee or subcommittee, or an official of the legislative or judicial branch or of the government of the District of Columbia. However, before disclosure all material that relates to loyalty or security under Executive Order 9835 or 10450 or any other authority shall be removed from the folder. If a specific request for loyalty or security information is made by a congressional committee or subcommittee, or any source outside the executive branch, the request shall be forwarded to the General Counsel, U.S. Civil Service Commission, Washington, D.C. 20415, for consultation with the Department of Justice pursuant to the President's Memorandum of March 24, 1969.

(c) An Official Personnel Folder shall be disclosed to an official of the executive branch who has a need for the information in the performance of his official duties.

(5) New Subpart K is added as set out below:

Subpart K—Leave Records

AUTHORITY: (5 U.S.C. 6311)

§ 294.1101 Leave Records.

The annual and sick leave record of an employee, or information from these records, is not made available to the public by the Commission or other Government agency. However, the leave record, or information from it, shall be disclosed to the employee concerned or, with his written consent, to a representative of the employee or any other person that he authorizes to have the record.

(AUTHORITY: Amendments to § 294.105 through § 294.703 made under 5 U.S.C. 552, 1104)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-8949; Filed, July 29, 1969; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER E—WAREHOUSE REGULATIONS

PART 102—GRAIN WAREHOUSES

Inspectors' and Weighers' Applications

On May 17, 1969, there was published in the FEDERAL REGISTER (34 F.R. 7868) a notice of proposed rule making regarding revision of § 102.61(b) of the Grain Warehouse Regulations (7 CFR 102.61 (b)), pursuant to the authority conferred by section 28 of the United States Warehouse Act (7 U.S.C. 268).

Interested persons were given 30 days in which to submit written data, views, or arguments concerning the proposed revision of the regulations. No such comments have been received. After due consideration of all relevant matters, and under the aforesaid authority, § 102.61 of the regulations is hereby amended by changing paragraph (b) to read:

§ 102.61 Inspectors' and weighers' applications.

* * * * *

(b) Each inspectors' application shall contain—

(1) Evidence that he can correctly grade grain in accordance with the official standards of the United States, or in the absence of such standards in accordance with any standards approved by the Administrator, and

(2) Satisfactory evidence that he will be provided with such means or facilities for inspecting and grading grain as may be deemed necessary, for use in the locality in which the applicant expects to perform services as a licensed inspector.

* * * * *

(Sec. 28, 39 Stat. 490, 7 U.S.C. 268; 29 F.R. 16210, as amended; 33 F.R. 10750)

The amendment revokes the requirement of the regulations that an applicant for an inspector's or weigher's license must have passed his 21st birthday, in order to bring the regulations under the United States Warehouse Act in line with requirements under the U.S. Grain Standards Act, as amended (7 U.S.C. 71 et seq.). Since the amendment relieves a restriction, it may be made effective under the administrative procedure provisions in 5 U.S.C. 553 less than 30 days after publication in the FEDERAL REGISTER.

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

Done at Washington, D.C., July 25, 1969.

JOHN C. BLUM,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 69-8921; Filed, July 29, 1969; 8:47 a.m.]

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

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

Order Amending Order, as Amended, Regulating Handling

§ 905.0 Findings and determinations.

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Lakeland, Fla., January 7, 1969, upon proposed amendment of the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

(3) The said order, as amended and as hereby further amended, is limited in application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act;

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

(5) All handling of oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, and tangelos grown in the production area is in the

current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

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

(1) The "Marketing Agreement, as amended, Regulating the Handling of Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida", upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the fruit covered by this order) who, during the period August 5, 1968, through May 4, 1969, handled not less than 50 percent of the volume of oranges (including Temple and Murcott Honey oranges), not less than 50 percent of the volume of grapefruit, not less than 50 percent of the volume of tangerines, and not less than 50 percent of the volume of tangelos covered by said amended order, as hereby further amended; and

(2) The issuance of this order, amending the aforesaid amended order, is favored or approved by at least two-thirds of the respective producers who participated in a referendum on the question of its approval and who, during the determined representative period (Aug. 5, 1968, through May 4, 1969), were engaged, within the production area specified in the aforesaid amended order, in the production for market of oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, or tangelos; such producers having also produced for market at least two-thirds of the volume of each fruit represented in such referendum.

(c) *Additional findings.* It is hereby found, on the basis hereinafter indicated, that good cause exists for making the provisions of this amendatory order effective on July 31, 1969, and that it would be contrary to the public interest to postpone such effective time until 30 days after publication (5 U.S.C. 553). The provisions of the order permits the committee to carry over excess assessment funds, within the limits prescribed, as a reserve. There is likely to remain at the end of the current fiscal period assessment funds which will be in excess of expenses incurred. Since the current fiscal period ends on July 31, 1969, this amendment should be made effective on July 31, 1969, the last day of the current fiscal period, so that the committee may establish a reserve and transfer such excess funds into such reserve.

The order also provides for separate regulations for Navel oranges and provides for basing the amount of a specified minimum size or grade of a variety of citrus fruit a handler may ship during a week on the amount he handled during the last previous week, within the current fiscal period, in which he shipped such fruit. Prior to the imposition of regulations, it will be necessary for the Growers Administrative Committee, the agency charged with the administration of the program, to initiate various actions including the formulation of a marketing policy for the ensuing season and set up procedure for obtaining official shipping records made by handlers during the elapsed weeks of the current season. Also included is authorization for a "shipping holiday" of not to exceed 5 days during the week in which Thanksgiving Day occurs. The provisions of this order are well known to producers and handlers. The hearing in connection therewith was held at Lakeland, Fla., on January 7, 1969, and the recommended decision and Secretary's decision were published in the FEDERAL REGISTER on May 1, 1969 (34 F.R. 7168), and June 17, 1969 (34 F.R. 9454), respectively. Copies of the text of the amendatory order have been made available to all known producers and handlers; the provisions of this order do not impose any restrictions on handlers until regulations in accordance therewith are issued; and compliance with such provisions will not require advance preparation on the part of persons subject thereto which can not be completed prior to the effective time of such regulations.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of oranges (including Temple and Murcott Honey oranges), grapefruit, tangerines, and tangelos grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of this order, as amended and as hereby further amended, as follows:

1. Section 905.5 *Variety* is revised to read as follows:

§ 905.5 Variety.

"Variety" or "varieties" means any one or more of the following classifications or groupings of fruit:

(a) Early and Midseason oranges and other types commonly called "round oranges," except Navel oranges and except Valencia, Lue Gim Gong, and similar late maturing oranges of the Valencia type;

(b) Valencia, Lue Gim Gong, and similar late maturing oranges of the Valencia type;

(c) Temple oranges;

(d) Marsh and other seedless grapefruit, excluding pink grapefruit;

(e) Duncan and other seeded grapefruit, excluding pink grapefruit;

(f) Pink seedless grapefruit;

(g) Pink seeded grapefruit;

(h) Tangelos;

(i) Dancy and similar tangerines, including Robinson;

(j) Murcott Honey oranges; and

(k) Navel oranges.

2. Paragraph (a) of § 905.42 *Handler's accounts* is deleted and a new paragraph (a) is substituted therefor:

§ 905.42 Handler's accounts.

(a) If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, the committee, with the approval of the Secretary, may carry over such excess into subsequent fiscal periods as a reserve: *Provided,* That funds already in the reserve do not exceed approximately one-half of one fiscal period's expenses. Such reserve funds may be used (1) to cover any expenses authorized by this part and (2) to cover necessary expenses of liquidation in the event of termination of this part. If any such excess is not retained in a reserve, each handler entitled to a proportionate refund shall be credited with such refund against the operations of the following fiscal period unless he demands payment of the sum due him, in which case such sum shall be paid to him. Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided,* That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

* * * * *

3. Paragraph (a) (1) and (3) of § 905.52, *Regulation by the Secretary* is revised to read as follows:

§ 905.52 Regulation by the Secretary.

(a) * * *

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

* * * * *

(3) Limit the shipment of the total quantity of any variety by prohibiting the shipment thereof: *Provided,* That no such prohibition shall apply to exports other than to Canada or Mexico or be effective during any fiscal period with respect to any variety other than for one period not exceeding 5 days during the week in which Thanksgiving Day occurs, and for not more than two periods not exceeding a total of 14 days during the period December 20 to January 20, both dates inclusive.

* * * * *

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

Dated, July 25, 1969, to become effective July 31, 1969.

ELVIN A. ADAMSON,
Deputy Assistant Secretary.

[F.R. Doc. 69-8954; Filed, July 29, 1969; 8:49 a.m.]

[Lemon Reg. 383, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order

No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.683 (Lemon Reg. 383, 34 F.R. 12128) are hereby amended to read as follows:

§ 910.683 Lemon Regulation 383.

* * * * *

(b) *Order.* (1) * * *.

(ii) District 2: 344,100 cartons.

* * * * *

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

Dated: July 24, 1969.

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

[F.R. Doc. 69-8922; Filed, July 29, 1969; 8:47 a.m.]

PART 913—GRAPEFRUIT GROWN IN INTERIOR DISTRICT IN FLORIDA

Order Amending Order Regulating Handling

§ 913.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the order; and all of the said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Lakeland, Fla., August 14–15, 1968, and January 8, 1969, upon a proposed amendment of the marketing agreement and Order No. 913 (7 CFR Part 913) regulating the handling of grapefruit grown in the Interior District in Florida. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The order, as hereby amended, regulates the handling of grapefruit grown in the Interior District in Florida in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which a hearing has been held;

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

(4) There are no differences in the production and marketing of grapefruit grown in the Interior District in Florida which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of grapefruit grown in the Interior District, as defined in the order, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found on the basis hereinafter indicated that good cause exists for making the provisions of this amendatory order effective August 1, 1969, and that it would be contrary to the public interest to postpone such effective date until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553). The provisions of the order revise the basis for computation of the handler's prorate base so that such computation shall be based upon shipments made during the representative period—3 years plus the elapsed weeks of the current season. The order also extends the permissive regulatory periods from 10 to 14 weeks; liberalizes the overshipment provisions; and permits handlers, in addition to loaning allotment, to transfer such allotment. Shipments of grapefruit normally begin in September. Regulation may be imposed during any week when shipments are made. Prior to the imposition of regulations, it will be necessary for the Interior Grapefruit Marketing Committee, the agency charged with the administration of the program, to initiate various actions including the formulation of a marketing policy for the ensuing year and set up a procedure for obtaining shipping records for the ensuing weeks of the current season. The provisions of the order, as amended, are well known to handlers of Interior grapefruit since the public hearing held in connection with the order was completed January 8, 1969, and the recommended decision and the Secretary's decision were published in the FEDERAL REGISTER on April 19, 1969 (34 F.R. 6693), and May 23, 1969 (34 F.R. 8120), respectively. Copies of the regulatory provisions of this amended order were made available to all known interested parties; such provisions do not place any restrictions on handlers until regulations are issued thereunder and shipment of grapefruit takes place; and, therefore, compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant thereto.

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

(1) The agreement amending the marketing agreement regulating the handling of grapefruit grown in the Interior District in Florida, upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the grapefruit covered by this order) who, during the period August 1, 1968, through April 30, 1969, handled not less than 50 percent of the volume of grapefruit covered by this order; and

(2) The issuance of this order, amending the aforesaid order, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (Aug. 1, 1968, through Apr. 30, 1969) were engaged, within the production area specified in this order, in the production of grapefruit for market; such producers having also produced for market at least two-thirds of the volume of grapefruit represented in such referendum.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of grapefruit grown in the said Interior District shall be in conformity to, and in compliance with, the terms and conditions of this order, as hereby amended, as follows:

1. Section 913.25 *Procedure of committee* is revised to read as follows:

§ 913.25 Procedure of committee.

(a) Except as provided in paragraphs (b), (c), and (d) of this section, a majority of the members shall constitute a quorum and any decision or action shall require concurrence by a majority of the committee.

(b) For any recommendation for regulations to be valid, not less than 60 percent of the committee shall concur, except as provided in paragraphs (c) and (d) of this section.

(c) Not less than 80 percent of the committee shall concur to make a recommendation for regulation for any week following 3 or more weeks of continuous regulations, except as provided in paragraph (d) of this section.

(d) Not less than 100 percent of the committee shall concur to make a recommendation for regulation for any week following 10 weeks of regulations during any fiscal period. The requirements of paragraph (c) of this section and this paragraph (d) shall not apply to recommendations to amend an existing regulation.

(e) The vote of each member cast for or against any recommendation made pursuant to this subpart, shall be duly recorded. Each member must vote in person.

(f) In the event any member of the committee and his alternate are not present at any meeting of the committee, any alternate present who is not acting for any other member may be designated by the chairman of the committee to serve in the place and stead of the absent member.

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

2. Paragraph (a) in § 913.41 *Recommendation for volume regulation* is revised to read as follows:

§ 913.41 Recommendation for volume regulation.

(a) The committee may, during any week, recommend to the Secretary the total quantity of grapefruit which it deems advisable to be handled during the next succeeding week: *Provided*, That volume regulations shall not be recommended after such regulations have been effective for an aggregate of 14 weeks during any fiscal period

* * * * *

3. Section 913.42 *Issuance of volume regulation* is revised to read as follows:

§ 913.42 Issuance of volume regulation.

Whenever the Secretary finds, from the recommendations and information submitted by the committee, or from other available information, that to limit the quantity of grapefruit which may be handled during a specified week will tend to effectuate the declared policy of the act, he shall fix such quantity: *Provided*, That such regulation during each fiscal period shall not in the aggregate limit the volume of grapefruit shipments for more than 14 weeks. The quantity so fixed for any week may be increased by the Secretary at any time during such week. Such regulations may, as authorized by the act, be made effective irrespective of whether the season average price of grapefruit is in excess of the parity price of grapefruit specified therefor in the act. The Secretary may upon the recommendation of the committee, or upon other available information, terminate or suspend any regulation at any time.

4. Section 913.43 *Prorate bases* is revised by revising paragraph (d) thereof to read as follows and by deleting paragraph (e) thereof:

§ 913.43 Prorate bases.

* * * * *

(d) Each week during the marketing season when volume regulation is likely to be recommended for the following week, the committee shall compute a prorate base for each handler who has made application in accordance with the provisions of this section. The prorate base for each such handler shall be computed by adding together the handler's shipments of grapefruit in the current season and his shipments in the immediately preceding seasons, if any, within the representative period, in which he shipped grapefruit and dividing such total by a divisor computed by adding together the number of weeks elapsed in the current season and 51 weeks for each of such immediately preceding seasons within the representative period in which the handler shipped grapefruit. For purposes of this section "representative period" means the three preceding seasons together with the current season; the term "season" means the 51 week period beginning with the first full week in August of any year; and the term "current season" means the period beginning with the first full week in August of the current fiscal period through the fourth full week preceding the week of regulation: *Provided*, That when official shipping records are available to the committee the term "current season" shall extend through the third full week preceding the week of regulation.

(e) [Deleted]

5. Section 913.45 *Overshipments* is revised to read as follows:

§ 913.45 Overshipment.

During any week for which the Secretary has fixed the total quantity of grapefruit which may be handled, any person who has received an allotment may handle, in addition to the total allotment available to him, an amount of grapefruit equivalent to 10 percent of such total allotment or 500 boxes, whichever is greater: *Provided*, That the Secretary, on the basis of a recommendation of the committee or other available information, may set such amount at any figure not less than 500 boxes and not more than 1,000 boxes. Handlers may overship (a) during such week the entire 500 boxes or other amount not in excess of 1,000 boxes as may be set by the Secretary, or (b) during two or more consecutive weekly periods when regulations are in effect, any portion of such 500 boxes or other amount set by the Secretary until the accumulated overshipments reach the applicable maximum number of boxes permitted to be overshipped. The quantity of grapefruit so overshipped when regulations are in effect shall be deducted from such person's allotment for the week following the one in which the total permitted overshipment is reached or for the week in which such person makes no shipments of grapefruit. If such person's allotment for such week is an amount less than the excess shipments permitted under this section, the remaining quantity shall be deducted from succeeding weekly allotments issued to such person until such excess has been entirely offset: *Provided*, That any time there is no volume regulaton in effect it shall be deemed to cancel all requirements to undership allotment because of previous overshipments pursuant to this part.

6. Section 913.47 *Allotment loans* is revised to read as follows:

§ 913.47 Allotment loans or transfers.

(a) A person to whom allotments have been issued may lend or transfer all or part of such allotment to another such person.

(1) In connection with a loan of allotment, each party to any such loan agreement shall, prior to completion of the agreement, notify the committee of the proposed loan and the date of repayment, and obtain the committee's approval of the agreement.

(2) In connection with a transfer of allotment, each party shall promptly notify the committee so that proper adjustment of records can be made.

(b) The committee may act on behalf of persons desiring to arrange allotment loans or participate in the transfer of allotment. In each case the committee shall confirm all such transactions immediately after the completion thereof by memorandum addressed to the parties concerned, which memorandum shall be deemed to satisfy the requirements of paragraph (a) of this section as to notifying the committee and obtaining committee approval.

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

Issued at Washington, D.C., this 25th day of July 1969 to become effective August 1, 1969.

ELVIN A. ADAMSON,
Deputy Assistant Secretary.

[F.R. Doc. 69-8955; Filed, July 29, 1969; 8:49 a.m.]

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Expenses and Rate of Assessment

On July 12, 1969, notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 11552) regarding proposed expenses and the related rate of assessment for the period April 1, 1969, through March 31, 1970, pursuant to the marketing agreement, as amended, and Order No. 922, as amended (7 CFR Part 922), regulating the handling of apricots grown in designated counties in Washington. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all revelant matters presented, including the proposals set forth in such notice

which were submitted by the Washington Apricot Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 922.209 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Washington Apricot Marketing Committee during the period April 1, 1969, through March 31, 1970, will amount to $3,364.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 922.41, is fixed at $1.50 per ton of apricots.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of apricots grown in designated counties in Washington are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable apricots handled during the aforesaid period; and (3) such period began on April 1, 1969, and said rate of assessment will automatically apply to all such apricots beginning with such date.

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

Dated: July 25, 1969.

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

[F.R. Doc. 69-8923; Filed, July 29, 1969; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. D]

PART 204—RESERVES OF MEMBER BANKS

Certain Officers' Checks as Deposits

1. Effective July 31, 1969, § 204.1(g) is amended to read as follows:

§ 204.1 Definitions.

* * * * *

(g) *Gross demand deposits.* The term "gross demand deposits" means the sum of all demand deposits, including demand deposits to the credit of other banks, the United States, States, counties, school districts, and other governmental subdivisions and municipalities, and all outstanding certified and officers' checks (including checks issued by the bank in payment of dividends and checks or drafts drawn by or on behalf of a foreign branch of a member bank on an account maintained by such a branch with a domestic office of the parent bank), and letters of credit and travelers' checks sold for cash.

* * * * *

2a. By notice of proposed rule making dated May 29, 1969 (FEDERAL REGISTER of June 7, 1969, 34 F.R. 9092), the Board of Governors proposed to amend § 204.1(h) and § 204.2(b) to disallow as a deduction from deposits in computing a member bank's reserve requirements any "cash item in process of collection" or "balance due from other bank" that is credited to any account with or in a foreign branch of such bank.

b. In view of the comments received, the Board has abandoned its proposal in favor of the amendment adopted. The amendment, like the proposal, is directed against checks reflecting transfers involving foreign branches of member banks being used to effect an unwarranted reduction in required reserves.

c. When a bank borrows in the Eurodollar market through its foreign branch with the result that a deposit in some other member bank's domestic office is shifted to that branch, the transfer of funds may be effected by the issuance of a check by the other member bank for the credit of the borrowing bank's foreign branch. During the time such a check is cleared, the receiving bank treats it as a "cash item in the process of collection" and deducts the amount of the check from its demand deposits subject to reserve requirements, thereby obtaining a benefit in the form of reduced required reserves for the one day the check is in the collection process. Rather than disallow this benefit and disregard the means of repayment of the borrowing, which was the approach of the proposal, the Board has decided that the better approach would be to assure that such benefit is canceled when the borrowing is repaid at maturity through the issuance of an officer's check (or a so-called "London check") by the borrowing bank. Under the amendment, any such check must be included by the bank as deposits in computing its reserve requirements.

d. Over the past few months, the Board has observed a growing tendency for member banks to account for certain transactions other than loan or deposit repayments in a way that will provide an unwarranted benefit in computing reserve requirements. Such transactions involve what have been described as "London checks", mainly because of their use in settling transactions between member bank branches in London. For example, if a London branch of one member bank borrows dollars from a London branch of another member bank, the lending branch may instruct its head office to make the transfer on its behalf to the head office of the borrowing branch for the account of the borrowing branch. The head office of the lending bank issues a "London check" on behalf of its branch, but the head office does not include such check as deposits in computing its reserve requirements. The head office of the borrowing branch takes the same cash-item deduction benefit described above. In repayment of the loan, the head office of the borrowing branch may issue a check that it describes as "bills payable" (or as a "London check"), which it excludes from deposits in computing its reserve requirements. The head office of the lending branch takes a cash-item deduction on the basis of such check, and credits the check to its foreign branch account. A consequence of these transactions is to free reserves for 1 day each for the borrowing and the lending bank, without any change in aggregate liabilities to foreign branches. Under the amendment, any such "London check" or "bills payable" check must be included by the respective issuing bank in its gross demand deposits subject to reserve requirements, just like any other "cashier's check" that it issues.

d. In connection with this amendment, the Board noted an early ruling (1928 Federal Reserve Bulletin 656) to the effect that a check issued by a member bank in repayment of Federal funds borrowed may be excluded from its deposit liabilities. The Board pointed out that that ruling, which is in effect an exemption from the provision of § 204.1(h) that requires all officers' checks issued by a bank to be included in its gross demand deposits, was intended to apply only to repayments in Federal funds transactions and does not apply to any other type of transactions.

3. The effective date of the amendment was deferred for less than the 30-day period referred to in section 553(d) of title 5, United States Code, because the Board found that the general credit situation and the public interest compelled it to make the action effective no later than the date adopted.

Approved July 24, 1969.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 69-8943; Filed, July 29, 1969; 8:48 a.m.]

[Regs. D, Q]

PART 204—RESERVES OF MEMBER BANKS

PART 217—INTEREST ON DEPOSITS

Liability on Repurchase Agreements as Deposits

1. Effective July 25, 1969, § 204.1(f) and § 217.1(f) are amended to read as follows:

(f) *Deposits as including certain promissory notes and other obligations.* For the purposes of this part, the term "deposits" shall be deemed to include any promissory note, acknowledgment of advance, due bill, or similar instrument that is issued by a member bank principally as a means of obtaining funds to be used in its banking business, except any such instrument (1) that is issued to another bank, (2) that evidences an indebtedness arising from a transfer of direct obligations of, or obligations that are fully guaranteed as to principal and

interest by, the United States or any agency thereof (other than a part interest in such obligations) that the bank is obligated to repurchase, or (3) that has an original maturity of more than 2 years and states expressly that it is subordinated to the claims of depositors. This paragraph shall not, however, affect (i) any instrument issued before June 27, 1966, or (ii) any instrument that evidences an indebtedness arising from a transfer of assets under repurchase agreement issued before July 25, 1969, or (iii) until August 28, 1969, any instrument that evidences an indebtedness arising from a transfer of assets under repurchase agreement issued, renewed, or extended on or after July 25, 1969.

2a. The sole purpose of this amendment is to narrow the scope of the repurchase-agreement exemption from the category of funds regarded as deposits for the purposes of rules governing member bank reserves (Regulation D) and payment of interest on deposits (Regulation Q). This action has become necessary in view of the use by certain banks of repurchase agreements as devices for raising funds to be used in the ordinary course of their business that are inconsistent with the purposes and policies of the regulations and cannot be distinguished from deposit transactions, except on a formalistic basis.

b. Specifically, the amendment makes the following changes in what constitutes a deposit:

(1) Beginning August 28, 1969, every bank liability on an RP entered into on or after July 25, 1969, with a person other than a bank, involving any assets other than direct obligations of the United States or its agencies (and obligations fully guaranteed by them) will be a deposit liability subject to Regulations D and Q; and

(2) Beginning August 28, 1969, every bank liability on an RP entered into on or after July 25, 1969, with a person, other than a bank, with respect to a part interest in any obligation or obligations (including U.S. Government obligations) will be a deposit liability subject to Regulations D and Q.

c. Under the amendment, a member bank may continue to sell to any person its entire interest in an obligation of the United States or its agencies (including obligations guaranteed by them), agree to repurchase such obligation, and classify its liability under such agreement as a nondeposit borrowing. In the Board's judgment, such an exemption from Regulations D and Q continues to be justified in view of the practical limitations on the amount of securities of the types described that are available for use by banks in entering into such repurchase agreements and, more importantly, the responsibilities of the Board in assuring the orderly functioning of the market for such obligations.

d. Notice of proposed rule making with respect to this amendment was published in the FEDERAL REGISTER of October 1, 1968 (33 F.R. 14648). The amendment was adopted by the Board after consideration of all relevant material, including communications received from interested persons.

Adopted July 24, 1969.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 69-8944; Filed, July 29, 1969; 8:48 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Revision 8; Amdt. 4]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Business for Bidding on Government Procurements for Laundry or Cleaning and Dyeing Services

On July 21, 1967, there was published in the FEDERAL REGISTER (32 F.R. 10753), a notice that the Administrator of the SBA proposed to increase the then effective $1 million average annual receipts size standard for the purpose of bidding on Government procurements for laundry or cleaning and dyeing services to $3 million average annual receipts for the preceding three (3) fiscal years. Interested persons were given 15 days in which to comment on the proposal.

No adverse comments were received with respect to the proposal and accordingly on November 30, 1968, there was published in the FEDERAL REGISTER (33 F.R. 17849) an amendment to Part 121 of Chapter I of Title 13 of the Code of Federal Regulations, establishing a new $3 million size standard as proposed.

Subsequently, several concerns complained that the size standard should not have been increased and that the currently effective $3 million standard includes concerns that should not be classified as small business.

Government data with respect to the size of concerns that compete or are potential competitors for Government procurements for laundry or cleaning and dyeing services are scarce. Therefore, it was determined that a hearing should be held with respect to the propriety of the currently effective $3 million average annual receipts size standard for these services.

The hearing was held at the National Office of the Small Business Administration on June 17, 1969 at 9:30 a.m., pursuant to a notice published in the FEDERAL REGISTER on May 7, 1969 (34 F.R. 7386). It was attended by officials of the Laundry—Dry Cleaning Association of Greater Washington, Washington, D.C., and by launderers located in Washington, D.C.; San Antonio, Tex.; Norfolk, Va.; Pawtucket, R.I.; Fort Pierce, Fla., and Matapan, Mass. In addition, written briefs and statements on the issues were filed by numerous other associations, laundries and dry cleaners.

It was not disputed that cleaning and dyeing concerns are much smaller than power laundries, linen supply houses, and industrial launderers, and that concerns in the former industry need not be as large as concerns in the latter fields of activity and accordingly that the currently effective $3 million size standard might be too high for the purpose of procurements for cleaning and dyeing services.

However, there were widely divergent points of view with respect to the propriety of the $3 million size standard for laundry services. Several concerns argued that, in their particular geographical area, all the concerns which compete for Government procurements for laundry services or cleaning and dyeing services have less than $3 million in average annual receipts, and therefore that utilization of the $3 million standard offers no protection to small business in such areas. Most of these companies strongly urged a return to the $1 million average annual receipts standard. On the other hand, several other concerns urged retention of the $3 million standard on the ground that contracts in their areas, as for example the Norfolk, Va., area, are very large, involve substantial peak loads and often exceed estimated requirements, all of which make necessary the use of large modern high speed equipment. Further, they argued that, in addition to being of such size, sales and receipts wise, as to be able to own and maintain the equipment necessary for these large contracts, such a concern also should (1) maintain a substantial commercial business to protect it in case of the loss of its Government business and (2) be able to diversify so as not to suffer from adverse changes such as the increase in utilization by the public of coin-operated laundry and dry cleaning devices.

Comment by officials of a generous sampling of Government procurement facilities, was substantially in favor of retention of the $3 million standard. Although some of them reported that most of their sources had fewer than $1 million in receipts, they favored $3 million as a size standard because many of the smaller concerns were reluctant to bid because the requirements of the Service Contractors Act of 1965 would increase their labor costs and make them noncompetitive in their commercial business. The view was that, under such circumstances, the higher standard was necessary to assure the reasonable amount of competition required for the continuation of small business set-asides.

One Association of Launderers and Dry Cleaners offered evidence that it has 23 members whose annual sales volume range from $500,000 to over $4 million; that 14 of such members have Government contracts and, that none of such 14 companies have annual receipts of less than $1 million. Such Association strongly supported retention of the $3 million standard. Another association of over 500 industrial laundries reported that 55 percent of its members gross over $1 million and urged that the $3 million

standard be retained. Two State associations of dry cleaners urged that the $3 million standard was too high in the case of dry cleaning.

On the basis of all available information, with respect to the size of concerns which bid or are potential bidders on Government procurements for cleaning and dyeing, it has been determined that the size standard for the purpose of such procurements should be reduced to $1 million average annual receipts for a concern's preceding 3 fiscal years.

As for the definition for the purpose of procurements of laundry services, including linen supply and industrial laundering, it is clear from the evidence offered in connection with the hearing that, in certain geographical areas of the United States, the currently effective $3 million size standard is so high that it includes as small business all laundry companies currently in business in such areas. On the other hand, it is equally true that, in many areas, if the size standard were re-established at $1 million, procurement facilities might be forced by reason of inadequate competition and/or unreasonably high prices, to eliminate set-asides for small business.

While in terms of economic theory the above circumstances might justify establishment of different size standards for different parts of the country, the problem of administering such a program would be so substantial and would represent such a burden on both bidders and officials of procuring agencies as to make its adoption impracticable. Therefore, the Small Business Administration has determined to make no change at this time in the currently effective $3 million size standard for the purpose of procurements for laundry services.

Accordingly, the amendments set forth below are hereby adopted:

Part 121 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by revising § 121.3–8(e)(8) to read as follows:

§ 121.3–8 Definition of Small Business for Government Procurement.

* * * * *

(e) *Services.* * * *

(8) (i) Any concern bidding on a contract for laundry services including linen supply, diaper services, and industrial laundering, is classified as small if its average annual sales or receipts for its preceding 3 fiscal years do not exceed $3 million.

(ii) Any concern bidding on a contract for cleaning and dyeing including rug cleaning services is classified as small if its average annual sales or receipts for its preceding 3 fiscal years do not exceed $1 million.

* * * * *

Effective Date: This amendment shall become effective 30 days after its publication in the FEDERAL REGISTER but shall apply only to procurements for which invitations for bids or requests for proposals are issued on and after such effective date.

Dated: July 18, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 69-8916; Filed, July 29, 1969; 8:46 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-357; Order No. 385]

PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT

Sales Measuring Station and Related Minor Facilities; Budget-Type Abandonment Applications

JULY 23, 1969.

The Federal Power Commission, by notice issued March 5, 1969 (34 F.R. 182; Mar. 13, 1969), proposed to amend its regulations under the Natural Gas Act to permit the use by natural gas pipeline companies of budget-type abandonment applications authorizing the abandonment of minor sales and facilities, under section 7(b) of the Natural Gas Act.

In response to the invitation in the notice, comments were received from seven companies. The comments were in support of the proposed rulemaking; however, each suggested various modifications, several of which will be adopted.

We are of the opinion that the suggestion of raising the single customer volume limit should not be adopted. The proposed abandonment limit of 100,000 Mcf annually is the same as the direct sales limit under budget regulations (§ 157.7(iii)(2)).

We likewise are of the opinion that the proposal should not be expanded to include budget abandonment of sales for resale and miscellaneous transportation facilities. As distinguished from a direct sale, abandonment of a sale for resale to a distributor or abandonment of a transmission facility under a blanket budget authorization would affect service to a number of ultimate consumers who should be given the opportunity to protest.

We are broadening the rule to include written permission from the customer in addition to written requests, and in the event a written request or written permission cannot be obtained, a statement setting forth such facts may be filed (§ 157.7(e)(2)(3)(ii)).

In order to clarify the intent of the regulation we are adding "direct" at the beginning of the title of § 157.7(e), and before "sales measuring * * *" in the first sentence under said title.

Upon consideration of the record in this proceeding, the Commission further finds:

(1) Adoption of these amendments to the Regulations under the Natural Gas Act are necessary and appropriate to the administration of the Natural Gas Act.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, as amended, particularly sections 7, 15, 16 thereof (52 Stat. 824, 829, 830; 56 Stat. 83, 84; 15 U.S.C. § 717f, 717n, 717o), orders:

(A) § 157.7, Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations, is amended by adding a paragraph (e) to read as follows:

§ 157–7 Abbreviated applications.

* * * * *

(e) *Direct sales measuring station and related minor facilities-budget-type abandonment application.* An abbreviated application requesting a budget-type authorization permitting the cessation of service and removal of direct sales measuring, regulating, and related minor facilities during a given 12-month period may be filed when:

(1) The deliveries to any one direct sale customer through any one of the sales measuring facilities to be abandoned have not exceeded 100,000 Mcf annually during the last year of service.

(2) The applicant will not abandon any service unless it has received a written request, or written permission, from the direct sale customer to terminate service. In the event such request or permission cannot be obtained, a statement certifying that the customer has no further need for the service must be filed.

(3) The applicant agrees to file with the Commission, within 60 days after expiration of the authorized abandonment period:

(i) A statement showing for each individual project a description of the facilities abandoned and the docket numbers of the prior proceedings in which the facilities or services abandoned were certificated.

(ii) A statement indicating in each case the reason why the service or facilities were abandoned, together with a copy of the written request or permission, or statement in lieu thereof, for termination of service. In the event a written request or permission cannot be obtained from the customer, applicant shall set forth in his statement a detailed explanation of how the abandonment is in the public interest.

(iii) A statement showing the effect of the abandonment upon any rate schedules or tariffs on file with this Commission.

(iv) A concise description of the changes of property, indicating the cost of property abandoned in place, the cost

of property removed and salvaged together with the revelant information required by paragraph (f) of § 157.18.

(v) A geographic map or maps of suitable scale and detail showing the location of the facilities abandoned.

(B) The amendment herein adopted shall become effective 30 days from the date of issuance of this order.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-8902; Filed, July 29, 1969; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 69-178]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Coastwise Transportation of Containers, etc., by Certain Vessels of Federal Republic of Germany

On the basis of information obtained and furnished by the Department of State, it is found that the Government of the Federal Republic of Germany extends to vessels of the United States in ports of the Federal Republic of Germany privileges reciprocal to those provided for in section 27 of the Merchant Marine Act of 1920, as further amended by Public Law 90-474 (82 Stat. 700). Therefore, vessels of the Federal Republic of Germany are permitted to transport coastwise equipment for use with vans and tanks, empty barges designed for carriage aboard a vessel, empty instruments of international traffic, and stevedoring equipment and material under the conditions specified in the applicable proviso to 46 U.S.C. 883.

Accordingly, § 4.93(b)(2), Customs Regulations, is amended by the insertion of "Federal Republic of Germany" in appropriate alphabetical order in the list of nations in that section.

(80 Stat. 379, sec. 27, 41 Stat. 999, as amended; 5 U.S.C. 301, 46 U.S.C. 883)

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: July 16, 1969.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 69-8946; Filed, July 29, 1969; 8:48 a.m.]

[T.D. 69-177]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Vessel Supplies and Equipment

To facilitate withdrawals of articles under section 309 or 317 of the Tariff Act of 1930, as amended, for use as supplies or equipment on qualified vessels, the Bureau has decided to permit the optional filing of a blanket withdrawal on customs Form 7506 for all or part of merchandise entered for warehouse which is intended for use on vessels. However, physical withdrawal from bond is to be deferred until supplemental withdrawals are filed from time to time with the customs warehouse officer as the merchandise is required for delivery. The procedure eliminates the need for a withdrawer to file a customs Form 7506 at the customhouse each time it is desired to withdraw such supplies or equipment from bond for delivery to a using vessel. The procedure for the blanket withdrawal of fuel oil is presently prescribed in § 10.62 of the Customs Regulations.

To prescribe regulations for the withdrawal of such supplies (other than fuel oil) and equipment Part 10 of the Customs Regulations is amended by adding a new section designated § 10.62a to read as follows:

§ 10.62a Blanket withdrawals for certain merchandise.

(a) Under this section, a blanket withdrawal on customs Form 7506 may be filed for all or part of any merchandise, except fuel oil, covered by a warehouse entry intended for withdrawal under section 309 or 317 of the Tariff Act of 1930, as amended, for use on qualified vessels. The withdrawal form shall bear in the top margin the wording Master Withdrawal for Vessel Supplies conspicuously stamped or printed but without the summary statement described in § 8.37(b) of this chapter.

(b) The blanket withdrawal shall be executed in quadruplicate or in quintuplicate if an additional copy is required for control purposes in local administration. The original shall be forwarded to the customs warehouse officer to serve as a permit to withdraw the merchandise covered thereby upon the filing of supplemental withdrawals as provided in paragraph (c) of this section. One copy shall be kept with the related entry. One copy shall be returned to the withdrawer for use in preparing the supplemental withdrawals. One copy (statistical) shall be forwarded to the Bureau of the Census.

(c) A supplemental withdrawal on customs Form 7506, in duplicate or in triplicate if an extra copy is needed for local control, shall be filed directly with the customs warehouse officer as merchandise covered by the blanket withdrawal is needed for delivery to a using vessel. The supplemental withdrawals shall be consecutively numbered by the withdrawer immediately after the serial number of the master withdrawal. Each supplemental withdrawal shall bear the summary statement described in § 8.37 (b) of this chapter. The original of the supplemental withdrawal shall accompany the merchandise for delivery to the customs officer who will supervise the lading.

(Secs. 309, 317, 46 Stat. 690, as amended, 696, as amended; 19 U.S.C. 1309, 1317)

As above indicated, the procedure authorized is optional and is intended to make it easier to effect duty-free withdrawals of supplies and equipment for vessels. It is found, therefore, that the issuance of this amendment with notice and public procedure under 5 U.S.C. 553 or subject to the effective date provision of that section is unnecessary.

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: July 16, 1969.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 69-8945; Filed, July 29, 1969; 8:48 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter V—Manpower Administration, Department of Labor

PART 614—UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEN

Schedule of Remuneration

The issuance of Executive Order 11475, 34 F.R. 9609 (June 19, 1969), providing increased pay and allowances for members of the uniformed services pursuant to section 8 of Public Law 90-207, 81 Stat. 654, makes it necessary to amend § 614.19 of Title 20, Code of Federal Regulations, which contains the schedule of remuneration for each pay grade of ex-servicemen used in the administration of the program of unemployment compensation for ex-servicemen established by subchapter II of chapter 85 of title of the United States Code (5 U.S.C. 8521-8525).

Accordingly, pursuant to 5 U.S.C. 8508 and 8521(a)(2), 20 CFR 614.19 is amended in the manner indicated below. The following amendment shall become effective immediately.

This document reflects the notice published in the FEDERAL REGISTER on April 15, 1969 (34 F.R. 6502) that all authority delegated in Chapter V of Title 20, Code of Federal Regulations, to the Bureau of Employment Security has been redelegated to the Manpower Administration.

1. Section 614.19 of Title 20, Code of Federal Regulations, is revised to read:

§ 614.19 Schedule of remuneration.

(a) The schedule provided in this paragraph applies to first claims under the UCX program filed on or after September 1, 1969:

Pay grades	Monthly rate
1. Commissioned officer:	
O-10	$2,853
O-9	2,551
O-8	2,333
O-7	2,068
O-6	1,793
O-5	1,459
O-4	1,206
O-3	1,012
O-2	804
O-1	622
2. Warrant officer:	
W-4	1,193
W-3	991
W-2	856
W-1	711
3. Enlisted personnel:	
E-9	991
E-8	868
E-7	763
E-6	665
E-5	551
E-4	448
E-3	340
E-2	299
E-1	286

(b) The deletion from paragraph (a) of this section of schedules of remuneration applicable to periods of time prior to September 1, 1969, and heretofore published in 33 F.R. 10086; 33 F.R. 3635; 32 F.R. 20974; 30 F.R. 13120; 29 F.R. 13102; and 23 F.R. 8699, does not revoke such schedules.

Signed at Washington, D.C., this 22d day of July 1969.

MALCOLM R. LOVELL, Jr.,
Manpower Administrator.

[F.R. Doc. 69-8957; Filed, July 29, 1969; 8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerances for Related Pesticide Chemicals

Effective on date of publication hereof in the FEDERAL REGISTER, § 120.3 is republished in its entirety as follows for codification purposes. No substantive changes are made hereby.

§ 120.3 Tolerances for related pesticide chemicals.

(a) Pesticide chemicals that cause related pharmacological effects will be regarded, in the absence of evidence to the contrary, as having an additive deleterious action. (For example, many pesticide chemicals within each of the following groups have related pharmacological effects: Chlorinated organic pesticides, arsenic-containing chemicals, metallic dithiocarbamates, cholinesterase-inhibiting pesticides.)

(b) Tolerances established for such related pesticide chemicals may limit the amount of a common component (such as As_2O_3) that may be present, or may limit the amount of biological activity (such as cholinesterase inhibition) that may be present, or may limit the total amount of related pesticide chemicals (such as chlorinated organic pesticides) that may be present.

(c) (1) Where tolerances for inorganic bromide in or on the same raw agricultural commodity are set in two or more sections in this part, the overall quantity of inorganic bromide to be tolerated from use of two or more pesticide chemicals for which tolerances are established is the highest of the separate applicable tolerances. For example, where the bromide tolerance on lima beans from ethylene dibromide soil treatment is 5 parts per million and on lima beans from methyl bromide fumigation is 50 parts per million, the overall inorganic bromide tolerance for lima beans grown on ethylene dibromide treated soil and also fumigated with methyl bromide after harvest is 50 parts per million.

(2) Where tolerances are established in terms of inorganic bromide residues only from use of organic bromide fumigants on raw agricultural commodities, such tolerances are sufficient to protect the public health and no additional concurrent tolerances for the organic pesticide chemicals from such use are necessary. This conclusion is based on evidence of the dissipation of the organic pesticide or its conversion to inorganic bromide residues in the food when ready to eat.

(d) (1) Where tolerances are established for both calcium cyanide and hydrogen cyanide on the same raw agricultural commodity, the total amount of such pesticides shall not yield more residue than that permitted by the larger of the two tolerances, calculated as hydrogen cyanide.

(2) Where tolerances are established for residues of both *O,O*-diethyl *S*-[2-(ethylthio)ethyl] phosphorodithioate and demeton (a mixture of *O,O*-diethyl *O*-(and *S*-)[2-(ethylthio)ethyl] phosphorothioates) on the same raw agricultural commodity, the total amount of such pesticides shall not yield more residue than that permitted by the larger of the two tolerances, calculated as demeton.

(3) Where tolerances are established for both terpene polychlorinates (chlorinated mixture of camphene, pinene, and related terpenes, containing 65–66 percent chlorine) and toxaphene (chlorinated camphene containing 67–69 percent chlorine) on the same raw agricultural commodities, the total amount of such pesticides shall not yield more residue than that permitted by the larger of the two tolerances, calculated as a chlorinated terpene of molecular weight 396.6 containing 67 percent chlorine.

(4) Where a tolerance is established for more than one pesticide containing arsenic found in or on a raw agricultural commodity, the total amount of such pesticides shall not yield more than 3.5 parts per million of As_2O_3 on the raw agricultural commodity to which applied.

(5) Where tolerances are established for more than one member of the class of dithiocarbamates listed in paragraph (e)(3) of this section on the same raw agricultural commodity, the total residue of such pesticides shall not exceed that permitted by the highest tolerance established for any one member of the class, calculated as zinc ethylenebisdithiocarbamate.

(e) Except as noted in subparagraphs (1) and (2) of this paragraph, where residues from two or more chemicals in the same class are present in or on a raw agricultural commodity the tolerance for the total of such residues shall be the same as that for the chemical having the lowest numerical tolerance in this class, unless a higher tolerance level is specifically provided for the combined residues by a regulation in this part.

(1) Where residues from two or more chemicals in the same class are present in or on a raw agricultural commodity and there are available methods that permit quantitative determination of each residue, the quantity of combined residues that are within the tolerance may be determined as follows:

(i) Determine the quantity of each residue present.

(ii) Divide the quantity of each residue by the tolerance that would apply if it occurred alone, and multiply by 100 to determine the percentage of the permitted amount of residue present.

(iii) Add the percentages so obtained for all residues present.

(iv) The sum of the percentages shall not exceed 100 percent.

(2) Where residues from two or more chemicals in the same class are present in or on a raw agricultural commodity and there are available methods that permit quantitative determinations of one or more, but not all, of the residues, the amounts of such residues as may be determinable shall be deducted from the total amount of residues present and the remainder shall have the same tolerance as that for the chemical having the lowest numerical tolerance in that class. The quantity of combined residues that are within the tolerance may be determined as follows:

(i) Determine the quantity of each determinable residue present.

(ii) Deduct the amounts of such residues from the total amount of residues present and consider the remainder to have the same tolerance as that for the chemical having the lowest numerical tolerance in that class.

(iii) Divide the quantity of each determinable residue by the tolerance that would apply if it occurred alone and the quantity of the remaining residue by the tolerance for the chemical having the

lowest numerical tolerance in that class and multiply by 100 to determine the percentage of the permitted amount of residue present.

(iv) Add the percentages so obtained for all residues present.

(v) The sum of the percentages shall not exceed 100 percent.

(3) The following pesticides are members of the class of dithiocarbamates:

A mixture of 5.2 parts by weight of ammoniates of [ethylenebis (dithiocarbamato)] zinc with 1 part by weight ethylenebis [dithiocarbamic acid] bimolecular and trimolecular cyclic anhydrosulfides and disulfides.
2-Chloroallyl diethyldithiocarbamate.
Coordination product of zinc ion and maneb containing 20 percent manganese, 2.5 percent zinc, and 77.5 percent ethylenebisdithiocarbamate.
Ferbam.
Maneb.
Manganous dimethyldithiocarbamate.
Sodium dimethyldithiocarbamate.
Thiram.
Zineb.
Ziram.

(4) The following are members of the class of chlorinated organic pesticides:

Aldrin.
BHC (benzene hexachloride).
1,1 - Bis(*p*-chlorophenyl) - 2,2,2-trichloroethanol.
Chlorbenside (*p*-chlorobenzyl *p*-chlorophenyl sulfide).
Chlordane.
Chlorobenzilate (ethyl 4,4'-dichlorobenzilate).
p-Chlorophenoxyacetic acid.
p-Chlorophenyl-2,4,5-trichlorophenyl sulfide.
2,4-D (2,4-dichlorophenoxyacetic acid).
DDD (TDE).
DDT.
1,1 - Dichloro - 2,2 - bis(*p* - ethylphenyl ethane.
2,6-Dichloro-4-nitroaniline.
2,4-Dichlorophenyl *p*-nitrophenyl ether.
Dieldrin.
Dodecachlorooctahydro - 1,3,4 - metheno - 2*H*-cyclobuta[cd] pentalene.
Endosulfan (6,7,8,9,10,10-hexachloro-1,5,5a, 6,9,9a - hexahydro - 6,9 - methano - 2,4,3 - benzodioxathiepin-3-oxide).
Endosulfan sulfate (6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a - hexahydro - 6,9 - methano - 2, 4,3-benzodioxathiepin-3,3-dioxide).
Heptachlor (1,4,5,6,7,8-heptachloro-3a,4,7, 7a-tetrahydro-4,7-methanoindene).
Heptachlor epoxide (1,4,5,6,7,8,8-heptachloro - 2,3 - epoxy - 2,3,3,a4,7,7a-hexahydro-4,7-methanoindene).
Isopropyl 4,4'-dichlorobenzilate.
Lindane.
Methoxychlor.
Ovex (*p*-chlorophenyl *p*-chlorobenzenesulfonate).
Sesone (sodium 2,4-dichlorophenoxyethyl sulfate, SES).
Sodium 2,4-dichlorophenoxyacetate.
Sulphenone (*p*-chlorophenyl phenyl sulfone).
Terpene polychlorinates (chlorinated mixture of camphene, pinene, and related terpenes 65–66 percent chlorine).
2,3,5,6-Tetrachloronitrobenzene.
Tetradifon (2,4,5,4'-tetrachlorodiphenyl sulfone).
Toxaphene (chlorinated camphene).

(5) The following are members of the class of cholinesterase-inhibiting pesticides:

Carbaryl (1-naphthyl *N*-methylcarbamate).
Carbofuran (2,3-dihydro-2,2-dimethyl-7-benzofuranyl *N*-methylcarbamate).
Carbofuran metabolite (2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl *N*-methylcarbamate).
Carbophenothion (*S*-(*p*-chlorophenylthiomethyl) *O,O*-diethyl phosphorodithioate).
2-Chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate.
Coumaphos (*O,O*-diethyl *O*-3-chloro-4-methyl-2-oxo-2*H*-1-benzopyran-7-yl phosphorothioate).
Comaphos oxygen analog (*O,O*-diethyl *O*-3-chloro-4-methyl-2-oxo-2*H*-1-benzopyran-7-yl phosphate).
Demeton (a mixture of *O,O*-diethyl *O*-(and *S*-) [2-(ethylthio)ethyl] phosphorothioates).
2,2-Dichlorovinyl dimethyl phosphate.
O,O-Diethyl *S*-[2-(ethylthio)ethyl] phosphorodithioate and its cholinesterase-inhibiting metabolites.
O,O-Diethyl *O*-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate.
O,O-Diethyl *O*-[*p*-(methylsulfinyl) phenyl] phosphorothioate and its cholinesterase-inhibiting metabolites.
Diethyl 2-pyrazinyl phosphate.
O,O-Diethyl *O*-2-pyrazinyl phosphorothioate.
S-(*O,O*-Diisopropyl phosphorodithioate) of *N*-(2-mercaptoethyl) benzenesulfonamide.
S-(*O,O*-Diisopropyl phosphorothioate) of *N*-(2-mercaptoethyl) benzenesulfonamide.
Dimethoate (*O,O*-dimethyl *S*-(*N*-methylcarbamoylmethyl) phosphorodithioate).
Dimethoate oxygen analog (*O,O*-dimethyl *S*-(*N*-methylcarbamoylmethyl) phosphorothioate).
O,O-Dimethyl *O*-*p*-(dimethylsulfamoyl) phenyl phosphate.
O,O-Dimethyl *O*-*p*-(dimethylsulfamoyl) phenyl phosphorothioate.
O,O-Dimethyl *O*-[4-(methylthio)-*m*-tolyl] phosphorothioate and its cholinesterase-inhibiting metabolites.
O,O-Dimethyl *S*-[4-oxo-1,2,3-benzotriazin-3-(4*H*)-ylmethyl] phosphorodithioate.
O,O-Dimethyl 2,2,2-trichloro-1-hydroxyethyl phosphonate.
Dioxathion (2,3-*p*-dioxanedithiol *S,S*-bis (*O,O*-diethylphosphorodithioate)) containing approximately 70 percent *cis* and *trans* isomers and approximately 30 percent related compounds.
EPN.
Ethion.
Ethion oxygen analog (*S*-[[(diethoxyphosphinothioyl)thio] methyl]*O,O*-diethyl phosphorothioate).
O-Ethyl *S,S*-dipropylphosphorodithioate.
O-Ethyl *S*-phenyl ethylphosphonodithioate.
O-Ethyl *S*-phenyl ethylphosphonothiolate.
m-(1-Ethylpropyl)phenyl methylcarbamate.
Malathion.
N-(Mercaptomethyl)phthalimide *S*-(*O,O*-dimethyl phosphorodithioate).
N-(Mercaptomethyl)phthalimide *S*-(*O,O*-dimethyl phosphorothioate).
Methomyl (*S*-methyl *N*-[(methylcarbamoyl)oxy]thioacetimidate).
1-Methoxycarbonyl-1-propen-2-yl dimethyl phosphate and its beta isomer.
m-(1-Ethylpropyl)phenyl methylcarbamate.
Methyl parathion.
Naled (1,2-dibromo-2,2-dichloroethyl dimethyl phosphate).
Parathion.
Phorate (*O,O*-diethyl *S*-(ethylthio)methyl phosphorodithioate) and its cholinesterase-inhibiting metabolites.
Phosalone (*S*-(6-chloro-3-mercaptomethyl) - 2 - benzoxazolinone) *O,O* - diethyl phosphorodithioate).
Phosphamidon (2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate) including all of its related cholinesterase-inhibiting compounds.
Ronnel.
Schradan (octamethylpyrophosphoramide).
Tributylphosphorotrithioite.

(6) The following compounds are members of the class of dinitro pesticides:

Dinitro-o-cyclohexylphenol.
Dicyclohexylamine salt of dinitro-o-cyclohexylphenol.

(Sec. 408, 68 Stat. 511; 21 U.S.C. 346a)

Dated: July 10, 1969.

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

[F.R. Doc. 69-8799; Filed, July 29, 1969; 8:45 a.m.]

SUBCHAPTER C—DRUGS

PART 138—DRUGS; OFFICIAL NAMES

New Names

In the FEDERAL REGISTER of January 14, 1969 (34 F.R. 516), a notice was published proposing that § 138.2 be amended by adding certain additional items to the list therein as official names for drugs.

Having considered the comments received in response to the proposal, and other relevant information, the Commissioner of Food and Drugs concludes that the proposal should be adopted with minor technical changes; however, the items "mestranol" and "methyldopa" that were in the proposal are not included in this order since they are already in § 138.2 (these two names were adopted by an order published in the FEDERAL REGISTER of April 20, 1967; 32 F.R. 6187).

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 508, 76 Stat. 1789; 21 U.S.C. 358) and the administrative procedure provisions of 5 U.S.C. 552 (80 Stat. 383, as amended 81 Stat. 54), and under authority delegated to the Commissioner (21 CFR 2.120), § 138.2 is amended by alphabetically inserting in the table the following new items as official names for drugs:

§ 138.2 **Drugs; official names.**

* * * * *

Official name	Chemical name or description	Molecular formula
Alexidine	1,1'-Hexamethylenebis[5-(2-ethylhexyl)biguanide]	$C_{28}H_{58}N_{10}$
Algestone	16α,17-Dihydroxypregn-4-ene-3,20-dione	$C_{21}H_{30}O_4$
Aranotin	5,5a,13,13a-Tetrahydro-5,13-dihydroxy-8*H*,16*H*-7a,15a-epidithio-7*H*,15*H*-bisoxepino[3',4':4,5]pyrrolo[1,2-a:1',2'-d]pyrazine-7,15-dione-5-acetate.	$C_{20}H_{18}N_2O_7S_2$
Bendazac	[(1-Benzyl-1*H*-indazol-3-yl)oxy]acetic acid	$C_{16}H_{14}N_2O_3$
Benzetimide	3-(1-Benzyl-4-piperidyl)-3-phenylglutarimide	$C_{24}H_{28}N_2O_2$
Bisobrin	1,1'-Tetramethylenebis(1, 2, 3, 4-tetrahydro-6, 7-dimethoxyisoquinoline).	$C_{36}H_{48}N_2O_4$
Bromhexine	3, 5-Dibromo-*N*-α-cyclohexyl-*N*-α-methyltoluene-α, 2-diamine	$C_{14}H_{20}Br_2N_2$
Carbamazepine	5*H*-Dibenz[*b*,*f*]-azepine-5-carboxamide	$C_{15}H_{12}N_2O$
Clonidine	2-(2, 6-Dichloroanilino)-2-imidazoline	$C_9H_9Cl_2N_3$
Clorazepic acid	7-Chloro-2, 3-dihydro-2, 3-dihydroxy-5-phenyl-1*H*-1, 4-benzodiazepine-3-carboxylic acid.	$C_{16}H_{11}ClN_2O_4$
Cloxacillin	6-[3-(o-Chlorophenyl)-5-methyl-4-isoxazolecarboxamido]-3, 3-dimethyl-7-oxo-4-thia-1-azabicyclo[3.2.0]heptane-2-carboxylic acid.	$C_{19}H_{18}ClN_3O_5S$
Cycloguanil	4,6-Diamino-1-(p-chlorophenyl)-1,2-dihydro-2,2-dimethyl-s-triazine.	$C_{11}H_{14}ClN_5$
Cyproquinate	Ethyl 6,7-bis(cyclopropylmethoxy)-4-hydroxy-3-quinolinecarboxylate.	$C_{20}H_{23}NO_5$
Cytarabine	1-Arabinofuranosylcytosine	$C_9H_{13}N_3O_5$
Dicloxacillin	6-[3-(2,6-Dichlorophenyl)-5-methyl-4-isoxazolecarboxamido]-3,3-dimethyl-7-oxo-4-thia-1-azabicyclo[3.2.0]heptane-2-carboxylic acid.	$C_{19}H_{17}Cl_2N_3O_5S$
Diflumidone	3'-Benzoyl-1,1-difluoromethanesulfonanilide	$C_{15}H_{13}F_2NO_3S$
Difluprednate	6α,9-Difluoro-11β,17,21-trihydroxypregna-1,4-diene-3,20-dione 21-acetate 17-butyrate.	$C_{31}H_{38}F_2O_7$
Doxepin	*N*,*N*-Dimethyldibenz[*b*,*e*]oxepin-Δ11(6*H*),γ-propylamine	$C_{19}H_{21}NO$
Droperidol	1-[1-[3-(p-Fluorobenzoyl)propyl]-1,2,3,6-tetrahydro-4-pyridyl]-2-benzimidazolinone.	$C_{22}H_{22}FN_3O_2$
Dydrogesterone	9β,10α-Pregna-4,6-diene-3,20-dione	$C_{21}H_{28}O_2$
Fantridone	5-[3-(Dimethylamino)propyl]-6-(5*H*)-phenanthridone	$C_{19}H_{20}N_2O$
Flunidazole	2-(p-Fluorophenyl)-5-nitroimidazole-1-ethanol	$C_{11}H_{10}FN_3O_3$
Fospirate	Dimethyl 3,5,6-trichloro-2-pyridyl phosphate	$C_7H_7Cl_3NO_4P$
Hoquizil	2-Hydroxy-2-methylpropyl 4-(6,7-dimethoxy-4-quinazolinyl)-1-piperazinecarboxylate.	$C_{19}H_{28}N_4O_7$
Ipronidazole	2-Isopropyl-1-methyl-5-nitroimidazole	$C_7H_{11}N_3O_2$
Levodopa	(-)-3-(3,4-Dihydroxyphenyl)-L-alanine	$C_9H_{11}NO_4$
Mesuprine	2'-Hydroxy-5'-[1-hydroxy-2-[(p-methoxyphenethyl)amino]propyl] methanesulfonanilide.	$C_{18}H_{24}N_2O_5S$
Metformin	1, 1-Dimethylbiguanide	$C_4H_{11}N_5$
Metolazone	7-Chloro-1,2,3,4-tetrahydro-3-methyl-4-oxo-3-o-tolyl-6-quinazolinesulfonamide.	$C_{16}H_{16}ClN_3O_3S$
Nalbuphine	17-(Cyclobutylmethyl)-4,5α-epoxymorphinan-3, 6α,14-triol	$C_{21}H_{27}NO_4$
Naranol	8,9,10,11,11a,12-Hexahydro-8,10-dimethyl-7a*H*-naphtho[1',2':5,6]pyrano[3,2-c]pyridin-7a-ol.	$C_{19}H_{23}NO_2$
Nisobamate	Isopropylcarbamic acid ester with 2-(hydroxymethyl)-2,3-dimethylpentyl carbamate.	$C_{11}H_{24}N_2O_4$
Norethindrone	17-Hydroxy-19-nor-17α-pregn-4-en-20-yn-3-one	$C_{20}H_{26}O_2$
Piquizil	Isobutyl 4-(6,7-dimethoxy-4-quinazolinyl)-1-piperazinecarboxylate.	$C_{19}H_{28}N_4O_4$
Polacrilin potassium	The potassium salt of a synthetic ion-exchange resin derived through the copolymerization of methacrylic acid and divinylbenzene.	
Sulfameter	*N*¹-(5-Methoxy-2-pyrimidinyl)sulfanilamide	$C_{11}H_{12}N_4O_3S$
Sulfamoxole	*N*¹-(4,5-Dimethyl-3-oxazolyl)sulfanilamide	$C_{11}H_{13}N_3O_3S$
Sulfazamet	*N*¹-(3-Methyl-1-phenyl-5-pyrazolyl)sulfanilamide	$C_{16}H_{16}N_4P_2S$
Tinidazole	1-[2-(Ethylsulfonyl)ethyl]-2-methyl-5-nitroimidazole	$C_9H_{13}N_3O_4S$
Trifumidate	Ethyl m-benzoyl-*N*-[(trifluoromethyl)sulfonyl] carbanilate	$C_{17}H_{12}F_3NO_5S$

Effective date: This order shall become effective 30 days after its publication in the FEDERAL REGISTER.

(Sec. 508, 76 Stat. 1789; 21 U.S.C. 358)

Dated: July 18, 1969.

HERBERT L. LEY, JR.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-8798; Filed, July 29, 1969; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER I—ANCHORAGES

[CGFR 69-74]

PART 110—ANCHORAGE REGULATIONS

Subpart A—Special Anchorage Areas

GROTON, CONN.

1. The Commander, 3d Coast Guard District, New York, N.Y., by letter dated June 24, 1969, requested an expansion of the special anchorage area in the vicinity of Avery Point and Jupiter Point, Groton, Conn., and the designation of a new special anchorage area to the north of Pine Island, Groton, Conn. A public notice dated December 19, 1968, was issued by Commander, 3d Coast Guard District, New York, N.Y., describing the proposed changes. All known interested parties were notified and requested to comment on the proposal. Three letters of objections were received. However, these objections have been resolved by mutual agreement. Since the foregoing procedure afforded effective notice to all interested parties, publication of the notice of proposed rule making in the FEDERAL REGISTER is unnecessary. Therefore, the request to expand the special anchorage area in the vicinity of Avery Point and Jupiter Point, Groton, Conn., and to establish a special anchorage area north of Pine Island, Groton, Conn., is granted, subject to the right to change the requirements and to

amend the regulations if and when necessary in the public interest.

2. This document effectuates this request by revising § 110.51 describing the limits of the two special anchorage areas. In these areas, vessels not more than 65 feet in length, when at anchor, are not required to carry or exhibit anchor lights. The area is principally for vessels used for recreational purposes. Temporary floats or buoys for marking the location of the anchor of a vessel at anchor may be used. Fixed mooring piles or stakes are prohibited.

3. In Subpart A of Part 110, § 110.51 is revised to read as follows:

§ 110.51 Groton, Conn.

The waters between an unnamed cove and Pine Island.

(a) Beginning at a point on the shoreline of Avery Point at latitude 41°19'01", longitude 72°03'45"; thence to a point in the cove at latitude 41°19'02", longitude 72°03'38"; thence southerly to a point at latitude 41°18'56.6", longitude 72°03'36"; thence northeasterly to a point at latitude 41°19'03", longitude 72°03'21.4"; thence terminating at the tip of Jupiter Point at latitude 41°19'04", longitude 72°03'21.5".

(b) Beginning at a point on the shoreline of Pine Island at latitude 41°18'47", longitude 72°03'37"; thence to latitude 41°18'54.5", longitude 72°03'35.5"; thence northeasterly to a point at latitude 41°19'0.07", longitude 72°03'21"; thence terminating at a point at latitude 41°18'53.8", longitude 72°03'19".

NOTE: The areas designated by (a) and (b) of this section are principally for vessels used for recreational purposes. Vessels shall be anchored so that no part of the vessel obstructs the 75 yard wide channel. Temporary floats or buoys for marking the location of the anchor of a vessel at anchor may be used. Fixed mooring piles or stakes are prohibited.

(Sec. 1, 30 Stat. 98, as amended, sec. 6(g)(1)(B), 80 Stat. 937; 33 U.S.C. 180, 49 U.S.C. 1655(g)(1)(B); 49 CFR 1.4(a)(3)(ii))

Effective date. This amendment shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: July 23, 1969.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 69-8951; Filed, July 29, 1969; 8:49 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER M—INTERNATIONAL TRAFFIC IN ARMS

[Dept. Reg. 108.605]

PART 121—ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

Correction

In F.R. Doc. 69-8412 which begins on page 12029 of the issue of July 17, 1969, the following corrections should be made:

1. Section 121.12(c)(12) on page 12031 should read:

(12) Coast Guard tugs (WAT, WXT).

2. In the paragraph headed "Effective dates" beginning near the end of the third column on page 12040, the reference "§ 121.09(7)" should be changed to "§ 121.09(g)" and the reference "§ 121.09(9)(c)" should be changed to "§ 121.09(i)(3)".

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 67—CANAL ZONE POSTAL SERVICE

Miscellaneous Amendments

Effective upon publication in the FEDERAL REGISTER, Part 67 of Title 35 of the Code of Federal Regulations is amended as follows:

1. Section 67.93 is revised to read as follows:

§ 67.93 Weight and size limits.

The provisions of 39 CFR, relating to weight and size limits of first class mail, are applicable to and within the Canal Zone.

2. Subparagraph (5) of paragraph (d) of § 67.441 is amended to read as follows:

§ 67.441 General provisions.

* * * * *

(d) *Declaration by sender.* * * *

(5) *Matter not having intrinsic value.* Articles not having any intrinsic value may be registered on payment of the minimum fee or any of the higher fees.

3. Subparagraphs (1) and (2) of paragraph (a) of § 67.442 are revised to read as follows:

§ 67.442 Fees and return receipts.

(a) *Registry fees (in addition to postage)—(1) Canal Zone and United States, its Territories and Possessions, and Commonwealth of Puerto Rico.*

Declared value	Fees	Postal liability
$0.00 to $100.00	$0.80	Without other insurance—declared value according to fee paid, $1,000 maximum. With other insurance—declared value according to fee paid or prorated, $1,000 maximum.
$100.01 to $200.00	$1.05	
$200.01 to $400.00	$1.30	
$400.01 to $600.00	$1.55	
$600.01 to $800.00	$1.80	
$800.01 to $1,000	$2.05	
$1,000.01 to $1,000,000.	$2.05, plus handling charge of 15 cents per $1,000 or fraction over $1,000.	$1,000 maximum.
$1,000,000.01 to $15,000,000.	$151.90 plus handling charge of 10 cents per $1,000 or fraction over first $1,000,000.	$1,000 maximum.
Over $15,000,000	Additional charges may be applied based on consideration of weight, space and value.	

For shipments valued in excess of $1,000,000 refer to Director of Posts before acceptance.

(2) *Determination of fee.* The fee is determined by the declared value. Articles having no intrinsic value may be registered on payment of the minimum fee or any of the higher fees. Shipments addressed for delivery in the Canal Zone or the United States valued in excess of $1,000 are subject to the handling charges based on that portion of the declared value which exceeds $1,000. See § 67.471 for shipments of unfit and mutilated currency and § 67.472 for shipment of savings bonds stubs and stock.

* * * * *

4. Paragraph (a) of § 67.471 is amended to read as follows:

§ 67.471 Unfit and mutilated currency shipments.

(a) *Fees, and surcharges or handling charges.* The minimum registry fee indicated in § 67.442 is applicable to each package mailed, and there are no applicable surcharges or handling charges.

* * * * *

5. Section 67.493 is revised to read as follows:

§ 67.493 Fees.

(a) Fees (in addition to postage). The provisions of 39 CFR, relating to the fees and limitations of liability for insured domestic mail, are applicable to and within the Canal Zone.

(b) The provisions of 39 CFR, relating to Restricted Delivery and Return Receipts, are applicable to and within the Canal Zone.

6. Paragraph (c) of § 67.494 is amended to read as follows:

§ 67.494 Mailing.

* * * * *

(c) *Endorsing and numbering.* Each package insured for the minimum fee shall not be numbered but shall be stamped with the elliptical insured stamp on the address side. Each package insured for more than the minimum fee shall be stamped on the address side with the "Insured No. _____" stamp, unless the package bears a reproduction of the stamp. The number appearing on the insurance receipt shall be conspicuously and legibly placed in the insured numbered stamp endorsement on the parcel.

7. Subparagraphs (1), (5), and (6) of paragraph (a) of § 67.701 are amended to read as follows:

§ 67.701 Domestic and domestic—international money orders.

(a) *Procedure for issuance.* * * *

(1) The provisions of 39 CFR, relating to fees for issuance of domestic and international money orders, are applicable to and within the Canal Zone.

* * * * *

(5) The issuing employee's initials shall be inserted in the space provided and a clear impression of the office dating stamp will be placed on the order, purchaser's receipt, post office stub, and accounting copy.

(6) The date affixed to the order, receipt, stub, and accounting copy by the

issuing employee shall be the actual date of issue.

* * * * *

8. Subparagraphs (1) and (3) of paragraph (b) of § 67.703 are amended to read as follows:

§ 67.703 Spoiled or not issued money order forms.

* * * * *

(b) *Disposition.* * * *

(1) Stamp or write boldly "Not Issued" or "Spoiled" across the face of the money order, purchaser's receipt, and post office stub and cross out the amount. The corresponding accounting copy shall also be endorsed boldly "Not Issued" or "Spoiled."

* * * * *

(3) Submit "Not Issued" or "Spoiled" money orders, with purchaser's receipt attached, and the corresponding "Not Issued" or "Spoiled" accounting copy, with daily report of money orders issued. The words "Not Issued" or "Spoiled" shall be written in the blank space in the adding machine tape covering list of money orders issued that accompanies the daily report.

(2 C.Z.C. secs. 1131–1133, 76A Stat. 38–39)

Dated: July 16, 1969.

R. S. HARTLINE,
Acting Governor.

[F.R. Doc. 69-8895; Filed, July 29, 1969; 8:45 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER H—TRAINING

[General Order 87, Rev., Amdt. 3]

PART 310—MERCHANT MARINE TRAINING

Subpart A—Regulations and Minimum Standards for State Maritime Academies and Colleges

FORM OF AGREEMENT

Effective upon the date of publication in the FEDERAL REGISTER, Subpart A of this part is amended as follows:

Amend § 310.12 *Form of agreement* by (a) changing Art. 7 thereof and (b) adding three new Articles to read as follows:

§ 310.12 Form of agreement.

* * * * *

ART. 7. *Officials not to benefit or be employed.* No member of or delegate to Congress, nor Resident Commissioner, shall be admitted to any share or part of this Agreement or to any benefit that may arise therefrom except that this provision shall not apply to this Agreement if made with a corporation for its general benefit. (Act of June 25, 1948, 62 Stat. 702; 18 U.S.C. 431, 432 and 433.)

* * * * *

ART. 9. *Duration of Agreement.* This Agreement is effective as of the day and year hereinabove set forth and shall remain in full force and effect for a period of 1 year after said date, unless sooner terminated by either party as herein provided.

ART. 10. *Termination of Agreement.* This Agreement may be terminated by either party upon sixty (60) days' written notice to the other party hereto: *Provided however,* That notwithstanding any such termination the parties hereto shall continue to be responsible for the faithful performance of all of the terms and provisions of said Agreement up to the effective date of such termination. Termination or expiration of this Agreement shall neither affect nor relieve either party of any liability or obligation that may have arisen or accrued prior thereto.

ART. 11. *Renewal of Agreement.* Unless terminated on notice, as provided for herein, the rights and privileges granted to, and the obligations assumed by, the parties together with all other provisions of this Agreement shall continue in full force and effect and shall be renewed from year to year for an additional period of one (1) year from the expiration date herein, unless either party shall at least three (3) months prior to the date of expiration of an additional 1 year period notify the other party in writing that it does not desire the Agreement to be extended for such additional 1 year period. This Agreement as extended year by year, as aforesaid, may be amended, modified, or supplemented in writing at any time by the mutual consent of the parties hereto.

(Sec. 101, 49 Stat. 1985, 46 U.S.C. 1101; Public Law 85-672, 72 Stat. 622; 46 U.S.C. 1381)

Dated: July 24, 1969.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-8953; Filed, July 29, 1969; 8:49 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 1, Amdt. 1-30]

PART 1—FUNCTIONS, POWERS, AND DUTIES IN THE DEPARTMENT OF TRANSPORTATION

Secretarial Succession

The purpose of this amendment is to revise § 1.33 of Part 1 of the Regulations of the Office of the Secretary of Transportation to list the order in which certain officials shall act as Secretary of Transportation, in case of the absence or disability of the Secretary. The revised list reflects recent changes in the titles of several of the Assistant Secretaries.

Since this amendment relates to internal management of the Department, notice and public procedure thereon are not required and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, effective July 22, 1969, § 1.33 of Part I of Title 49, Code of Federal Regulations, is amended to read as follows:

§ 1.33 Secretarial succession.

The following officials, in the order set forth, shall act as Secretary of Transportation in case of the absence or disability of the Secretary, until the absence or disability ceases or, in the event of a vacancy in the Office of the Secretary, until a successor is appointed:

(a) Under Secretary.

(b) Assistant Secretary for Policy and International Affairs.

(c) Assistant Secretary for Environment and Urban Systems.

(d) Assistant Secretary for Research and Technology.

(e) Assistant Secretary for Public Affairs.

(f) General Counsel.

(g) Assistant Secretary for Administration.

(Secs. 3, 9, Department of Transportation Act; 49 U.S.C. 1652, 1657)

Issued in Washington, D.C., on July 22, 1969.

JOHN A. VOLPE,
Secretary of Transportation.

[F.R. Doc. 69-8952; Filed, July 29, 1969; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds

The Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 703 et seq.), authorizes and directs the Secretary of the Interior, having due regard for the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds to determine when, to what extent, and by what means, such birds or any part, nest, or egg thereof may be taken, captured, killed, possessed, sold, purchased, shipped, carried, or transported.

By notice of proposed rule making published in the FEDERAL REGISTER of May 14, 1969 (34 F.R. 7654–7655), notification was given that the Secretary of the Interior proposed to amend Part 10, Title 50, Code of Federal Regulations. These amendments would specify open seasons, certain closed seasons, shooting hours, and bag and possession limits for migratory game birds for the 1969–70 hunting seasons.

Interested persons were invited to submit their views, data, or arguments regarding such matters in writing to the Director, Bureau of Sports Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240, within 30 days following the date of publication of the notice.

Subsequently, after due consideration of migratory game bird survey data obtained through investigations conducted

by the Bureau of Sport Fisheries and Wildlife and State game departments, and from other sources, the several State game departments were informed concerning the shooting hours, season lengths, and daily bag and possession limits proposed to be prescribed for the 1969–70 seasons on rails, mourning and white-winged doves, band-tailed pigeons, woodcock, and common snipe (Wilson's), on waterfowl, coots, and little brown cranes in Alaska. The State game departments were invited to submit recommendations for hunting seasons to conform to the shooting hours, daily bag and possession limits, and season lengths within frameworks of opening and closing dates as established by this Department.

Accordingly, each State game department having had an opportunity to participate in selecting the hunting seasons desired for its State on those species of migratory game birds for which open seasons are now to be prescribed, and consideration having been given to all other relevant matters presented, it is determined that certain sections of Part 10 shall be amedned as set forth below.

The taking of the designated species of migratory game birds is presently prohibited. These amendments will permit taking of these species within specified periods of time beginning as early as September 1, as has been the case in past years. Since these amendments benefit the public by relieving existing restrictions, they shall become effective upon publication in the FEDERAL REGISTER.

Section 10.41 is amended to read as follows:

§ 10.41 Seasons and limits on doves and wild pigeons.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species of doves and wild pigeons designated in this section are prescribed between the dates of September 1, 1969, and January 15, 1970, as follows:

(a) *Mourning doves—Eastern Management Unit.*

Daily bag limit	18
Possession limit	36
Shooting hours: 12 noon until sunset.	
Seasons in:	
Alabama [1]	Sept. 22–Nov. 10.
	Dec. 20–Jan. 8.
Connecticut	Closed season.
Delaware	Sept. 12–Oct. 16.
	Dec. 5–Jan. 8.
District of Columbia	Closed season.
Florida	Oct. 4–Nov. 2.
	Nov. 15–Nov. 30.
	Dec. 13–Jan. 5.
Georgia	Sept. 6–Oct. 4.
	Dec. 6–Jan. 15.
Illinois	Sept. 1–Nov. 9.
Indiana	Closed season.
Kentucky	Sept. 1–Oct. 31.
	Dec. 1–Dec. 9.
Louisiana	Sept. 1–Sept. 14.
	Oct. 11–Nov. 16.
	Dec. 17–Jan. 4.
Maine	Closed season.
Maryland	Sept. 15–Oct. 25.
	Dec. 13–Jan. 10.
Massachusetts	Closed season.
Michigan	Do.
Mississippi	Sept. 13–Oct. 5.
	Nov. 8–Nov. 30.
	Dec. 20–Jan. 12.
New Hampshire	Closed season.
New Jersey	Do.
New York	Do.
North Carolina	Sept. 1–Oct. 11.
	Dec. 18–Jan. 15.
Ohio	Closed season.
Pennsylvania [1]	Sept. 1–Nov. 8.
Rhode Island	Sept. 8–Oct. 5.
	Oct. 25–Dec. 5.
South Carolina	Sept. 13–Oct. 4.
	Nov. 17–Nov. 29.
	Dec. 12–Jan. 15.
Tennessee	Sept. 1–Sept. 30.
	Oct. 13–Nov. 11.
	Dec. 23–Jan. 1.
Vermont	Closed season.
Virginia	Sept. 7–Nov. 1.
	Dec. 15–Dec. 27.
West Virginia [1]	Sept. 1–Sept. 27.
	Oct. 11–Nov. 1.
	Dec. 26–Jan. 15.
Wisconsin	Closed season.

[1] In Alabama, the daily bag and possession limit is 18. In Pennsylvania and West Virginia, the daily bag limit is 12 and the possession limit is 24.

(b) *Mourning doves—Central Management Unit.*

Daily bag limit	10
Possession limit	20
Shooting hours: [1] One-half hour before sunrise until sunset.	
Seasons in:	
Arkansas	Sept. 1–Oct. 5.
	Dec. 15–Jan. 15.
Colorado	Sept. 1–Oct. 30.
Iowa	Closed season.
Kansas	Sept. 1–Oct. 30.
Minnesota	Closed season.
Missouri	Sept. 1–Oct. 30.
Montana	Closed season.
Nebraska	Do.
New Mexico [2]	Sept. 1–Sept. 30.
	Nov. 29–Dec. 28.
North Dakota	Closed season.
Oklahoma	Sept. 1–Oct. 30.
South Dakota	Sept. 1–Sept. 14
Texas [1 2]	See footnote 2.
Wyoming	Closed season.

[1] In Texas, shooting hours are from 12 noon until sunset on all days in all counties.

[2] Texas: Mourning doves in Val Verde, Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties and all counties north and west thereof, Sept. 1–Oct. 30; in the counties of Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, and Willacy, Sept. 6 and 7, and Sept. 20–Nov. 16; remainder of State, Sept. 20–Nov. 18.

[2] In New Mexico, the daily bag limit is 10 and the possession limit is 20 white-winged and mourning doves, singly or in the aggregate of both kinds.

(c) *Mourning doves—Western Management Unit.*

Daily bag limit	10
Possession limit	20
Shooting hours: One-half hour before sunrise until sunset.	
Seasons in:	
Arizona	Sept. 1–Sept. 28.
	Dec. 21–Jan. 11.
California [1 2]	Sept. 1–Sept. 30.
	Nov. 29–Dec. 14.
Idaho	Sept. 1–Sept. 21.
Nevada [1]	Sept. 1–Oct. 20.
Oregon	Sept. 1–Sept. 30.
Utah	Do.
Washington	Do.

[1] In those counties of California and Nevada having an open season on white-winged doves, the daily bag limit is 10 and possession limit is 20 mourning and white-winged doves singly or in the aggregate of both kinds.

[2] Check State regulations for additional restrictions.

Notice: Hawaii: Subject to the applicable provisions of the preceding sections of this part, mourning doves may be taken in accordance with the State regulations.

(d) *White-winged doves.*

Daily bag and possession limits (See footnote 2).	
Shooting hours: One-half hour before sunrise until sunset.[1]	
Seasons in:	
Arizona [2]	Sept. 1–Sept. 28.
	Dec. 21–Jan. 11.
California: [2 3]	
Counties of Imperial, Riverside, and San Bernardino	Sept. 1–Sept. 30.
	Nov. 29–Dec. 14.
Nevada: [2]	
Clark and Nye Counties	Sept. 1–Oct. 20.
Remainder of State	Closed season.
New Mexico [2]	Sept. 1–Sept. 30.
	Nov. 29–Dec. 28.
Texas: [1 2]	
Counties of Brewster, Brooks, Cameron, Culberson, Dimmit, El Paso, Hidalgo, Hudspeth, Jeff Davis, Jim Hogg, Kenedy, Kinney, La Salle, Maverick, Presidio, Starr, Terrell, Val Verde, Webb, Willacy, and Zapata	Sept. 6 and 7.
Remainder of State	Closed season.

[1] In Texas, shooting hours are from 12 noon until sunset.

[2] In Arizona, the daily bag and possession limit is 25 white-winged doves. In California, Nevada, and New Mexico, the daily bag limit is 10 and the possession limit is 20 white-winged and mourning doves, singly or in the aggregate of both kinds. In Texas, the daily bag limit is 10 and the possession limit is 20 white-winged doves.

[3] Check State regulations for additional restrictions.

(e) *Band-tailed pigeons.*

Daily bag and possession limit	8
Shooting hours: One-half hour before sunrise until sunset.	
Seasons in:	
California:	
Counties of Butte, Del Norte, Glen, Humboldt, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity	Sept. 27–Oct. 26.
Remainder of State	Dec. 13–Jan. 11.
Oregon	Sept. 1–Sept. 30.
Washington	Do.

(f) *New Mexico and Arizona season for band-tailed pigeons.* An open season for

band-tailed pigeons is continued for New Mexico and Arizona in accordance with the following conditions: Open season dates will be from October 11 through October 19; a daily bag limit of 5 and possession limit of 10; shooting hours are from ½ hour before sunrise to sunset daily: *Provided*, That every hunter must have been issued and carry on his person while hunting band-tailed pigeons a properly validated special band-tailed pigeon hunting permit issued by the game department of each respective State for the open season in that State. Such a special band-tailed pigeon hunting permit will be issued upon application to the State game department of the State in which hunting is to be done. Permits issued by either State will be valid in that State only: *Provided further*, That this season shall be open only in the area described, delineated, and designated as such by the States of New Mexico and Arizona in their respective hunting regulations.

Section 10.46 is amended to read as follows:

§ 10.46 Seasons and limits on rails, woodcock, and common snipe (Wilson's).

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed between the dates of September 1, 1969, and January 31, 1970, as follows:

(a) *Atlantic Flyway States.*

	Rails [1]	Woodcock	Common snipe (Wilson's)
Daily bag limit	See footnotes [2] [3]	5	8
Possession limit	See footnotes [2] [3]	10	16
Shooting hours: [9]	One-half hour before sunrise until sunset on all species.		
Seasons in:			
Connecticut [2]	Sept. 1–Nov. 8	Oct. 18–Dec. 20	Oct. 18–Dec. 6.
Delaware [2]	Sept. 1–Nov. 8	Nov. 21–Jan. 24	Nov. 1–Dec. 20.
District of Columbia	Closed season	Closed season	Closed season.
Florida [4] [10]	Sept. 1–Nov. 9	Nov. 15–Jan. 18	See footnote.[10]
Georgia [4]	Sept. 20–Nov. 28	Nov. 20–Jan. 23	Dec. 13–Jan. 31.
Maine	Sept. 1–Nov. 9	Sept. 24–Nov. 15	Sept. 24–Nov. 12.
Maryland [2]	Sept. 1–Nov. 1	Oct. 10–Dec. 13	Oct. 10–Nov. 28.
Massachusetts	Sept. 6–Nov. 14	Oct. 10–Nov. 30	Sept. 26–Nov. 14.
New Hampshire	Closed season	Oct. 1–Dec. 1	Oct. 1–Nov. 19.
New Jersey [2] [5] [6] [8]	Sept. 1–Nov. 8	Oct. 4–Dec. 6	See footnote.[10]
New York [2] [7] [8]	Sept. 1–Nov. 9	Sept. 22–Nov. 25	Sept. 22–Nov. 10.
North Carolina [4]	Sept. 1–Nov. 8	Nov. 28–Jan. 31	Dec. 13–Jan. 31.
Pennsylvania	Sept. 1–Nov. 8	Oct. 18–Dec. 20	Oct. 1–Nov. 19.
Rhode Island [2]	Sept. 8–Nov. 16	{Oct. 25–Dec. 5 / Dec. 15–Dec. 31}	Oct. 25–Dec. 5.
South Carolina [4]	Oct. 7–Dec. 15	Nov. 28–Jan. 31	Dec. 13–Jan. 31.
Vermont	Sept. 27–Dec. 5	Sept. 27–Nov. 30	Sept. 27–Nov. 15.
Virginia [4]	Sept. 12–Nov. 20	Nov. 17–Jan. 20	Nov. 17–Jan. 5.
West Virginia	Sept. 20–Nov. 28	{Sept. 20–Sept. 27 / Oct. 11–Dec. 6}	Sept. 20–Nov. 8.

[1] In all States in this Flyway having an open season on Virginia and sora rails, the daily bag and possession limit is 25 singly or in the aggregate of these two species.

[2] In the States of Connecticut, Delaware, Maryland, New York, and Rhode Island, the daily bag limit on king and clapper rails is 7 and the possession limit is 14 singly or in the aggregate of these two species.

[3] In the State of New Jersey, the daily bag limit on king and clapper rails is 5 and the possession limit is 10 singly or in the aggregate of these two species.

[4] In the States of Florida, Georgia, North Carolina, South Carolina, and Virginia, the daily bag limit on king and clapper rails is 15 and the possession limit is 30 singly or in the aggregate of these two species.

[5] The season on woodcock in the State of New Jersey will be closed on November 7 and will reopen at 9 a.m. on November 8.

[6] In New Jersey and New York, shooting hours on woodcock will begin at sunrise and end at sunset daily.

[7] New York: In the Long Island area (Long Island and that part of Westchester County, lying south of the Hutchinson River Parkway), the season on rails is September 8–November 9.

[8] New York: The season for woodcock in the Southern Zone (except the southeastern zone and the Long Island area), is October 1–November 25; in the southeastern zone and the Long Island area (Long Island and that part of Westchester County, lying south of the Hutchinson River Parkway), the season is October 29–November 25.

[9] New York: The season for common snipe (Wilson's) in the Southern Zone (except the southeastern zone and the Long Island area), is October 1–November 10; in the southeastern zone and the Long Island area (Long Island and that part of Westchester County, lying south of the Hutchinson River Parkway), the season is October 29–November 10.

[10] The season for snipe will open and run concurrently with the open season for ducks: *Provided*, That the open season shall not extend beyond the last day of the duck season or 30 consecutive days, whichever is the shorter period.

Check State regulations for additional restrictions.

(b) *Mississippi Flyway States.*

	Rails (Sora and Virginia)	Woodcock	Common snipe (Wilson's)
Daily bag limit	25	5	8
Possession limit	25	10	16
Shooting hours	One-half hour before sunrise until sunset on all species.		
Seasons in:			
Alabama [2] [3] [4]	Nov. 7–Jan. 15	Nov. 28–Jan. 31	Dec. 13–Jan. 31.
Arkansas	Sept. 1–Nov. 9	Nov. 28–Jan. 31	Nov. 27–Jan. 15.
Illinois [4]	Closed season	Oct. 1–Dec. 4	See footnote.[8]
Indiana	Sept. 1–Nov. 9	Sept. 20–Nov. 28	Sept. 20–Nov. 8.
Iowa	Closed season	Closed season	Oct. 4–Nov. 22.
Kentucky	Nov. 20–Jan. 15	Nov. 20–Jan. 23	Nov. 20–Jan. 8.
Louisiana [1]	Nov. 1–Jan. 9	Nov. 27–Jan. 30	Dec. 13–Jan. 31.
Michigan [7]	Sept. 15–Nov. 28		Sept. 15–Nov. 3.
Zones 1 and 2		Sept. 15–Nov. 14	
Zone 3		Oct. 20–Nov. 14	
Minnesota	Sept. 6–Nov. 14	Sept. 6–Nov. 9	Sept. 20–Nov. 8.
Mississippi [1]	Nov. 1–Jan. 9	Nov. 28–Jan. 31	Dec. 13–Jan. 31.
Missouri	Sept. 1–Nov. 9	Oct. 1–Dec. 4	Oct. 1–Nov. 19.
Ohio	Sept. 1–Nov. 8	Sept. 19–Nov. 22	Oct. 4–Nov. 22.
Tennessee [2] [5]	See footnote [1]	Nov. 17–Jan. 20	See footnote.[8]
Wisconsin [2] [6]	See footnote [1]	Sept. 13–Nov. 16	See footnote.[8]

[1] In the States of Louisiana and Mississippi, the daily bag limit on king and clapper rails is 15 and the possession limit is 30 singly or in the aggregate of these two species.

[2] In the State of Alabama, the daily bag limit on king and clapper rails is 15 and the possession limit is 15 singly or in the aggregate of these two species.

[3] In the State of Alabama, the daily bag limit on woodcock is 5 and the possession limit is 5.

[4] In the State of Alabama, the daily bag limit on snipe is 8 and the possession is 8.

[5] The season on rail will open and run concurrently with the duck season: *Provided*, That the open season shall not extend beyond the last day of the duck season or 70 consecutive days, whichever is the shorter period.

[6] The season on snipe will open and run concurrently with the duck season: *Provided*, That the open season shall not extend beyond the last day of the duck season or 50 consecutive days, whichever is the shorter period.

[7] Check State regulations for additional restrictions.

(c) *Central Flyway States.*

	Rails (Sora and Virginia)	Woodcock	Common snipe (Wilson's)
Daily bag limit	25	5	8
Possession limit	25	10	16
Shooting hours:	One-half hour before sunrise until sunset on all species.		
Seasons in:			
Colorado	Sept. 1–Nov. 9	Closed season	Sept. 1–Oct. 20.
Kansas	Sept. 1–Nov. 9	Oct. 18–Dec. 21	Oct. 1–Nov. 19.
Montana [2]	Closed season	Closed season	See footnote [2].
Nebraska	Sept. 1–Nov. 9	Closed season	Oct. 4–Nov. 22.
New Mexico	Sept. 1–Sept. 30	Closed season	Sept. 1–Sept. 30.
North Dakota	Closed season	Closed season	Sept. 13–Nov. 1.
Oklahoma	Sept. 1–Nov. 9	Nov. 2–Jan. 5	Oct. 15–Dec. 3.
South Dakota	Closed season	Closed season	Sept. 10–Oct. 29.
Texas [1]	Sept. 1–Nov. 9	Nov. 22–Jan. 25	Nov. 22–Jan. 10.
Wyoming	Sept. 6–Nov. 14	Sept. 6–Nov. 9	Sept. 6–Oct. 25.

[1] In the State of Texas, the daily bag limit on king and clapper rails is 15 and the possession limit is 30 singly or in the aggregate of these two species.

[2] The season on snipe will open and run concurrently with the duck season: *Provided*, That the open season shall not extend beyond the last day of the duck season or 50 consecutive days, whichever is the shorter period.

Check State regulations for additional restrictions.

Section 10.51 is amended to read as follows:

§ 10.51 Migratory game bird hunting seasons in Alaska.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed between the dates of September 1, 1969, and January 26, 1970, as follows:

	Ducks	Geese	Coots	Brant	Common snipe (Wilson's)	Little brown cranes
Daily bag limit	6[1]	6[2]	15	4	8	2
Possession limit	18[1]	12[2]	15	8	16	4
Shooting hours:	One-half hour before sunrise to sunset.					
Season dates in:						
Pribilof, Kodiak (Game Management Unit 8), Aleutian Islands except Unimak Island.	Oct. 14–Jan. 26				Sept. 1–Oct. 31	Sept. 1–Oct. 15.
Rest of Alaska and Unimak Island	Sept. 1–Dec. 14				Sept. 1–Oct. 31	Sept. 1–Oct. 15.

[1] Ducks: In addition to the basic daily bag and possession limits prescribed above for ducks collectively, a daily bag limit of 15 and a possession limit of 30 is permitted singly or in the aggregate of the following species: scoter, eider, old-squaw, harlequin, and American and red-breasted mergansers.

[2] Geese: The daily bag and possession limits may not include more than 4 daily and 8 in possession, singly or in the aggregate of white-fronted and Canada geese. In addition to the daily bag and possession limits on other geese, the daily bag limit is 6 and the possession limit is 12 on Emperor geese.

Section 10.53 is amended as follows:

§ 10.53 Seasons and limits on waterfowl, coots, gallinules, and Wilson's snipe.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed as follows:

(a) (1) An open season for taking scoter, eider, and old-squaw ducks is prescribed during the period between September 25, 1969, and January 10, 1970, in all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in the States of Maine, Massachusetts, Rhode Island, New Hampshire, and Connecticut; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and associated bays eastward from a line running between Miamogue Point in the town of Riverhead to Red Cedar Point in the town of Southampton, including any ocean waters of New York lying south of Long Island; the States of New Jersey, Virginia, North Carolina, South Carolina, and Georgia may, upon their election, have such special season in any waters of the Atlantic Ocean and/or in any tidal waters of any bay which are separated by at least one (1) mile of open water from any shore, island, and emergent vegetation; and the State of Maryland may, at its election, have such special season in any waters of the Atlantic Ocean and/or in any tidal waters of any bay which are separated by at least 1,200 yards of open water from any shore, island, and emergent vegetation: *Provided*, That any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States.

(2) Shooting hours are from ½ hour before sunrise until sunset. The daily bag limit is 7 and the possession limit is 14, singly or in the aggregate of these species. In all other areas of these States and in all other States in the Atlantic Flyway, such ducks may be taken only during the open season for other ducks.

(3) Notwithstanding the provisions of § 10.3(b)(4), the shooting of crippled waterfowl from a motorboat under power will be permitted on those coastal water areas open to sea duck hunting during the special open season and all waters of rivers and streams lying seaward from the first upstream bridge in the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Connecticut; in the State of Maryland in those areas described, delineated, and designated in its hunting regulations as being open to sea duck hunting; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and associated bays eastward from a line running between Miamogue Point in the town of Riverhead to Red Cedar Point in the town of Southampton, including any ocean waters of New York lying south of Long Island.

(b) Seasons and limits on teal: Subject to the applicable provisions of the preceding sections of this part, an open hunting season of not more than 9 consecutive days, between September 1, 1969, and September 21, 1969, for teal ducks (blue-winged, green-winged, and cinnamon teal) is prescribed according to the following table in those areas which are described, delineated, and designated in the hunting regulations of the following States:

Daily bag limit	4
Possession limit	8
Shooting hours: Sunrise to sunset daily.	
Seasons in:	
Mississippi Flyway States:	
Alabama	Sept. 12–Sept. 20.
Arkansas	Sept 6–Sept. 14.
Illinois	Do.
Indiana[1]	Do.
Iowa	Sept. 13–Sept. 21.
Kentucky	Closed season.
Louisiana	Sept. 13–Sept. 21.
Michigan	Closed season.
Minnesota	Sept. 13–Sept. 21.
Mississippi	Do.
Missouri	Do.
Ohio	Sept. 12–Sept. 20.
Tennessee	Closed season.
Wisconsin	Do.
Central Flyway States:	
Colorado[2] (east of the Continental Divide).	Sept. 1–Sept. 9.
Kansas[3]	Sept. 13–Sept. 21.
Montana[4]	Do.
Nebraska	Sept. 6–Sept. 14.
New Mexico[5]	Do.
North Dakota	Do.
Oklahoma	Sept. 1–Sept. 9.
South Dakota	Sept. 12–Sept. 14.
Texas	Sept. 13–Sept. 21.
Wyoming (east of the Continental Divide)	Sept. 6–Sept. 14.

[1] In those counties on e.d.s.t., shooting hours begin at 8 a.m. In all other counties, shooting hours begin at 7 a.m.

[2] Colorado: Consists of Jackson County and that portion of the State lying east of State Highway 71, U.S. Highway 350, and Interstate Highway 25.

[3] Kansas: The entire State of Kansas except the Marais des Cygnes Waterfowl Management Area in Linn County, Kans., and the Neosho Waterfowl Management Area in Neosho County, Kans.

[4] Montana Central Flyway area: Consists of the Montana counties of Blaine, Fergus, Judith Basin, Wheatland, Sweet Grass, Stillwater, Carbon, and all counties east thereof.

[5] New Mexico Central Flyway area: Consists of all that portion of New Mexico east of the Continental Divide and outside the boundaries of the Jicarilla Apache Indian Reservation.

(c) Gallinules:

Daily bag limit	15
Possession limit	30
Shooting hours: One-half hour before sunrise to sunset.	
Seasons in:	
Atlantic Flyway:	
Connecticut	Sept. 1–Nov. 9.
Delaware	Do.
Florida	Sept. 1–Nov. 9.
Georgia	Nov. 7–Jan. 15.
Maine	Sept. 1–Nov. 8.
Maryland[1]	See footnote 1.
Massachusetts	Sept. 6–Nov. 14.
New Hampshire	Closed season.
New Jersey	Sept. 1–Nov. 8.
New York[2]	Sept. 1–Nov. 9.
North Carolina	Sept. 1–Nov. 8.
Pennsylvania	Do.
Rhode Island	Sept. 8–Nov. 16.
South Carolina	Oct. 7–Dec. 15.
Vermont	Sept. 27–Dec. 5.
Virginia[1]	See footnote 1.
West Virginia	Oct. 11–Dec. 19.
Mississippi Flyway:	
Alabama	Nov. 7–Jan. 15.
Arkansas	Nov. 15–Jan. 15.
Illinois	Closed season.
Indiana	Sept. 1–Nov. 9.
Iowa	Closed season.
Kentucky	Nov. 20–Jan. 15.
Louisiana	Sept. 1–Nov. 9.
Michigan	See footnote 1.
Minnesota	Do.
Mississippi	Nov. 1–Jan. 9.
Missouri	See footnote 1.
Ohio	Sept. 1–Nov. 8.
Tennessee	See footnote 1.
Wisconsin	Do.

See footnotes at end of table.

Central Flyway:	
Colorado	Closed season.
Kansas	Sept. 1–Nov. 9.
Montana	Closed season.
Nebraska	See footnote 1.
New Mexico	Do.
North Dakota	Closed season.
Oklahoma	Sept. 1–Nov. 9.
South Dakota	Closed season.
Texas	Sept. 1–Nov. 9.
Wyoming	Closed season.
Pacific Flyway	See footnote 1.

[1] Some States establish their gallinule season at the time they select their duck season in August. Consult Regulatory Announcement 84 and State regulations for information concerning the gallinule season if the dates are not published in this table.

[2] New York: In the Long Island area (Long Island and that part of Westchester County, lying south of the Hutchinson River Parkway), the season on gallinule is Sept. 8–Nov. 9.

* * * * *

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

JULY 23, 1969.

[F.R. Doc. 69-8783; Filed, July 29, 1969; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 31]

INDIANA DUNES NATIONAL LAKESHORE, IND.

Proposed Zoning Standards

Notice is hereby given that, pursuant to section 5 of the act of November 5, 1966 (80 Stat. 1309; 16 U.S.C. 460u), providing for the establishment of the Indiana Dunes National Lakeshore, it is proposed to amend Title 36, Code of Federal Regulations, by the addition of a new part specifying standards for zoning ordinances and amendments which must meet the approval of the Secretary of the Interior. The purpose of this proposed regulation is to establish general criteria or standards with which the zoning ordinances and amendments of the municipalities within the lakeshore must comply in order to exempt improved properties within the lakeshore from acquisition by condemnation.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons who wish to offer comments, suggestions, or recommendations with respect to the proposed regulations may submit written comments thereon to the Director, National Park Service, Washington, D.C. 20240, within 60 days after this notice is published in the FEDERAL REGISTER.

Part 31, reading as follows, is added to Chapter I, Title 36 CFR:

PART 31—INDIANA DUNES NATIONAL LAKESHORE: ZONING STANDARDS

Sec.
31.1 Introduction.
31.2 General provisions.
31.3 Lakeshore Use District.
31.4 Park Use District.
31.5 Variances, Exceptions.

AUTHORITY: The provisions of this Part 31 are issued under sec. 5, 80 Stat. 1309; 16 U.S.C. 460u and sec. 3, 39 Stat. 535; 16 U.S.C. 3.

§ 31.1 Introduction.

(a) In administering, preserving, and developing the Indiana Dunes National Lakeshore (hereinafter referred to as Lakeshore), the Secretary of the Interior (hereinafter referred to as the Secretary), is required to be guided by the provisions of the act of November 5, 1966 (80 Stat. 1309), and applicable provisions of the laws relating to the National Park System. The Secretary, further, may utilize other statutory authority available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of the said act.

(b) Development and management of the Indiana Dunes National Lakeshore to provide for public enjoyment, use, and understanding of its unique natural, historic, and scientific features will be undertaken and conducted in such manner as to assure preservation of the unique flora and fauna or the physiographic conditions prevailing in the area and preservation of historic sites and structures. This contemplates, where compatible with preservation purposes and the physical capabilities of the lakeshore, a broad range of activities including, but not limited to, hiking, boating, swimming, fishing, picnicking, nature study, water skiing, beachcombing, and winter sports.

(c) The Secretary may not acquire by condemnation any "improved property" defined in paragraph (d) of this section), within the boundaries of the lakeshore, during all times when the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary.

(d) As used herein, "improved property" means a detached one-family dwelling construction of which was begun prior to January 4, 1965, together with so much of the land on which the dwelling is situated and which is in the same ownership as the dwelling, as the Secretary considers reasonably necessary for enjoyment of the dwelling for noncommercial residential use, together with accessory structures on the same land. The amount of land so designated may not exceed 3 acres in area, and the Secretary may exclude from such "improved property" any beach or waters, which he deems necessary for public access thereto or public use thereof.

(e) Section 5 of the 1966 Act requires the Secretary to issue regulations specifying standards for approval by him of zoning ordinances adopted by the local entities within the lakeshore so that the improved properties within its boundaries may attain exemption-from-condemnation status. Such standards, and any contained in amended regulations, shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than that which is permitted by the Secretary, of all property within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of the aforesaid act, of the area within the lakeshore by means of acreage, frontage, and set back requirements and other provisions—consistent with the laws of the State of Indiana.

§ 31.2 General provisions.

(a) The regulations herein proposed are intended to establish the minimal standards with which local zoning ordinances must conform if improved property within the lakeshore which is covered by such zoning ordinances is to be exempt from acquisition by condemnation.

(b) Following final issuance of the regulations in this part, the municipalities having zoning jurisdiction within the lakeshore shall submit to the Secretary for his approval all zoning ordinances and amendments thereto which demonstrate conformity with the general and specific standards in the regulations in this part. These submissions shall include ordinances and amendments adopted specifically to implement the regulations in this part. The Secretary is required to approve any zoning ordinance or amendment submitted to him which conforms to the standards contained in the regulations in this part, but he may not approve a zoning ordinance or amendment which (1) contains any provision he considers adverse to preservation and development of the lakeshore, or (2) fails to provide that the Secretary shall receive notice of any variance granted under or exception made to the application of such ordinance or amendment. The Secretary will notify the municipality submitting the zoning ordinance or amendment, within 30 days after its receipt, of its approval or disapproval. If more than 30 days are required for the review, the municipality will be notified of the delay and of the additional time needed to reach a determination.

(c) Nothing contained in these regulations or in the zoning ordinance or amendments adopted for the lakeshore to implement the regulations in this part shall preclude the Secretary from exercising his power of condemnation at any time with respect to property other than "improved property" as defined above. Property within the boundaries of the lakeshore, except to the extent it is identified as a part of "improved property", will be acquired by the United States as rapidly as appropriated funds become available and before development occurs thereon. Any private property developed after January 4, 1965 is subject to acquisition by the Secretary by condemnation under the act of November 5, 1966, referred to above, even though such development is in accordance with zoning ordinances or amendments approved by him. The regulations in this part shall not preclude the Secretary from otherwise fulfilling the responsibilities vested in him by the act authorizing establishment of the lakeshore.

(d) No additional or increased commercial or industrial uses are permitted in the lakeshore except as provided for under the regulations applicable to the "Lakeshore Use District." Existing nonconforming commercial or industrial uses shall be discontinued within 15 years

from the effective date of the regulation in this part. The Secretary may permit such uses to be continued for an additional period of time to allow an owner a reasonable opportunity to amortize investments made on the property before January 4, 1965.

(e) The regulations in this part require, and local zoning ordinances or amendments to be approved by the Secretary shall require, that any uses, and the location, design and scope of any permitted developments (which are limited to areas not programed or planned for Federal development according to the master plan for the lakeshore), shall be harmonized with adjacent uses, developments and natural features within the lakeshore and shall be consistent with the current master plan proposed or adopted by the National Park Service for the lakeshore, so as to minimize disruption of the natural scene and to further the public recreational purposes of the area.

§ 31.3 Lakeshore Use District.

(a) Definition: This district shall comprise all those portions of the Indiana Dunes National Lakeshore delineated as "Lakeshore Use District" on a map bearing the identification "Indiana Dunes National Lakeshore Zoning" June 1968.

(b) Subject to the other provisions of the regulations in this part, the following uses or undertakings are permitted in the Lakeshore Use District, if the municipality having zoning jurisdiction over the property has issued a building or use permit in each case:

(1) Single-family residence, not including tent or trailer, but including servants quarters in the same structure or in an accessory building. Such residential use, unless the lot to be used was in separate ownership or included in a land subdivision of record before January 4, 1965, shall meet the following minimum requirements:

(i) Minimum lot size—1 acre.

(ii) Minimum lot width—150 feet.

(iii) Maximum building height—dwelling, 30 feet; accessory structures, 15 feet.

(iv) Minimum front yard setback—30 percent of average lot depth in block, subdivision, or area.

(v) Rear yard setback—20 percent of lot depth.

(vi) Side yard setback—10 percent of lot width on each side.

(vii) Maximum lot coverage by dwelling and accessory structures—20 percent.

(viii) Minimum ground floor area in dwelling unit—1,000 sq. ft.

(ix) Parking on site—2 vehicles.

In order to achieve more efficient land utilization for open space preservation, a subdivision plan may provide for single-family residences constructed as row or town houses, or they may be otherwise clustered at a density greater than one residence per acre and without regard to the other requirements listed above for residential construction (except the limitation on height of structures and the provision for parking); *Provided*, That 50 percent of all the land in the subdivision, excluding land in the streets, is donated to the United States for preservation in perpetuity as a part of the lakeshore.

(2) Alteration, improvement, or moving of existing residences or accessory structures, provided there is compliance with the area, frontage, setback, height, and other requirements prescribed for residential uses under subparagraph (1) of this paragraph: *And provided further*, That the existing residential structure remains an integral part of the altered or enlarged dwelling. The exterior appearance of any altered or enlarged dwelling shall conform to the style or type of architecture employed in the existing dwelling. The alteration, improvement, or moving may not alter the residential character of the premises and accessory structures, through alteration or enlargement, may not become the dominant structure or structures on the premises. Any alteration, improvement, or moving of structures which violates a local zoning ordinance or amendment containing these limitations and requirements would subject "improved property" on the premises to acquisition by condemnation, unless the Secretary has approved a variance or exception therefor in accordance with § 31.5.

(3) Community sponsored parks and recreation areas and recreational activities such as horseback riding, organizational and other camping, picnicking, swimming, horseshoe pitching, archery, croquet, tennis, softball, volleyball, and similar activities which are compatible with the purposes of the area, together with the physical improvements needed to accommodate such uses: *Provided*, That any facilities or structures so developed shall adhere to the acreage, frontage, height, setback, and other requirements imposed by the local zoning agency on such developments, after consultation with the Secretary.

(4) Limited agricultural uses such as greenhouses, plant nurseries, and truck gardens if these uses do not require the extensive cutting or clearing of wooded areas and are not otherwise destructive of natural or recreational values: *And provided*, They adhere to the acreage, frontage, height, setback, and other requirements which are imposed by the zoning agency, after consultation with the Secretary.

(5) Clearing and removal of trees, shrubbery, and other vegetation only to the extent necessary in order to permit the exercise of a use otherwise allowed within this district.

(6) Religious and educational uses, including kindergartens and day nurseries, and the necessary structures and facilities, subject to such acreage, frontage, height, setback, and other requirements as are imposed by the local zoning agency.

(7) Removal of gravel, sand and rock or other alteration of the landscape only to the minimum extent necessary to make possible the exercise of a use permitted in this district, including construction of a temporary access road.

(8) (i) Signs that are related to any permitted use, provided they do not exceed 1 square foot in area for residential occupancy and not to exceed 6 square feet for any other purpose, provided they are not illuminated by any neon or flashing device. Signs advertising a property for sale or rental may be placed only on the property being offered for sale or rental. For an event of short duration and public interest, as a civic affair or church event, informational signs not over 6 square feet in area may be used on the property on which the event will occur, and a limited number of directional signs, not larger than 1 square foot in area, may be used. Such signs may be displayed only within a 30-day period before the event being advertised and they shall be removed immediately thereafter.

(ii) Signs shall be subdued in appearance, harmonizing in design and color with the surroundings and shall not be attached to any tree or shrub. Nonconforming signs may continue such nonconformity until they are destroyed, moved, structurally altered or redesigned, but the period of such nonconformity may not exceed 3 years from the date a zoning ordinance containing this limitation is adopted by the local zoning entity.

(9) Accessory uses and structures, including fencing, which are appurtenant to any permitted use: *Provided*, There is compliance with the area, frontage, height, setback and other requirements prescribed for residential uses under subparagraph (1) of this paragraph.

(10) No commercial uses of property within this district, other than those listed above, will be permitted.

(11) There shall be in effect in this district limitations, requirements, or restrictions in regard to the burning of cover and trash and the dumping, storing, or piling of refuse, materials, equipment, or other unsightly objects which would detract from the natural scene or esthetic values of the lakeshore. Temporary storage of materials and equipment may be permitted, to the extent necessary to exercise a permitted use.

§ 31.4 Park Use District.

(a) Definition: This district shall comprise all those portions of the Indiana Dunes National Lakeshore delineated as "Park Use District" on a map bearing the identification "Indiana Dunes National Lakeshore Zoning" June 1968. In this district the predominant use of the land is for open space and outdoor recreational facilities.

(b) Subject to the other provisions of these regulations, the following uses or undertakings are permitted in the Park Use District, if the municipality having zoning jurisdiction over the property has issued a building or use permit in each case.

(1) Community outdoor recreation activities and facilities such as playgrounds, open spaces, parks, and athletic fields, if such facilities are developed and operated by a governmental

agency and are consistent with the purposes of the lakeshore and provided such facilities adhere to the acreage, frontage, height, setback, and other requirements imposed by the zoning agency, after consultation with the Secretary.

(2) Religious and educational facilities and uses including kindergarten and day schools, whether developed and operated by a governmental agency or privately, if they are consistent with the purposes of the lakeshore, and adhere to the acreage, frontage, height, setback, and other requirements imposed by the local zoning agency, after consultation with the Secretary.

(3) Fencing not to exceed 5 feet in height in conjunction with the above permitted uses.

(4) Signs not to exceed 6 square feet in area are permitted to be erected on the premises on which a permitted use occurs, but they may not be illuminated by any neon or flashing device. A limited number of directional signs are permitted. Signs shall be subdued in appearance, harmonizing in design and color with the surroundings and shall not be attached to any tree or shrub. Nonconforming signs shall be discontinued and removed immediately.

(5) There shall be in effect in this district prohibitions in regard to the burning of cover and trash. The dumping, storing, or piling of refuse, materials, equipment and/or any other objects in this district shall be prohibited.

§ 31.5 Variances, exceptions, and use permits.

Zoning ordinances or amendments thereto, for the zoning districts comprising the lakeshore may provide for the granting of variances and exceptions, subject to the following:

(a) Under Section 5(d) of the act of November 5, 1966, the authority of the Secretary to acquire "improved property" by condemnation would be reinstated if such property is made the subject of a variance under or exception to the applicable zoning ordinance, or is subjected to any use, which variance, exception or use fails to conform to or is inconsistent with any applicable standard contained in the regulations in this part.

(b) The municipality having the responsibility and power to zone, or private owners of "improved property", may consult the Secretary as to whether any proposed variance or exception would terminate the suspension of his authority to acquire the affected property by condemnation and they may request the review of a proposed variance or exception by the Secretary. The Secretary within 60 days after the receipt of a request for review of a proposed variance or exception, shall advise the owner or the zoning entity whether or not the intended use will subject the property to acquisition by condemnation. If more than 30 days is required by the Secretary for such determination, he shall so notify the interested party, stating the additional time required and the reasons therefor.

(c) The Secretary shall be given written notice of any variance granted under, or exception made to the application of, a zoning ordinance or amendment previously approved by him. The Secretary shall be provided a copy of every building or use permit granted by municipalities which authorize any use or development of lands within the boundaries of the lakeshore.

LESLIE L. GLASGOW,
Assistant Secretary of the Interior.

JULY 23, 1969.

[F.R. Doc. 69-8908; Filed, July 29, 1969; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 919]

HANDLING OF PEACHES GROWN IN MESA COUNTY, COLO.

Expenses and Rate of Assessment for 1969–70 Fiscal Year

Consideration is being given to the following proposals submitted by the Administrative Committee, established under the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), regulating the handling of peaches grown in Mesa County, Colo., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(1) That the expenses that are reasonable and likely to be incurred by the Administrative Committee during the period March 1, 1969, through February 28, 1970, will amount to $2,000.

(2) That there be fixed, at $0.004 per bushel basket, or equivalent quantity of peaches in other containers or in bulk, the rate of assessment payable by each handler in accordance with § 919.41 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: July 24, 1969.

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

[F.R. Doc. 69-8924; Filed, July 29, 1969; 8:47 a.m.]

[7 CFR Part 1138]

[Docket No. AO 335-A14]

MILK IN RIO GRANDE VALLEY MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to 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 the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Rio Grande Valley marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 10th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Albuquerque, N. Mex., on June 24, 1969, pursuant to notice thereof which was issued June 10, 1969 (34 F.R. 9394).

The material issues on the record of the hearing relate to:

1. Whether credits for certain Class II uses of producer milk should be continued after August 1969.

2. Clarification of provisions specifying partial payments to producers.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Credits for certain Class II uses.* The temporary pricing provisions applicable to certain Class II uses of producer milk should be continued through August 1970. The expiration date for the special pricing, if not extended, is August 31, 1969.

The special pricing is provided in terms of credits allowed the handler in certain Class II uses of producer milk. These credits result in no charge for skim milk dumped or disposed of for animal feed. The credit allowed on condensed skim milk and milk or skim milk transferred or diverted out of the marketing area results in a charge of 40 cents per hundredweight for the skim milk content as compared to the regular Class II value of skim milk which was

$1.285 in May 1969. The quantity on which the credits apply is subject to an allocation of producer milk first to Class II uses not subject to these credits.

The continuation of the credits through August 1970 was proposed by Milk Producers, Inc., a cooperative which supplies about 65 percent of the milk in the market. The cooperative asserted that there is still need to transfer to distant manufacturing plants milk which handlers in the marketing area do not accept at their pool plants. The special pricing, the cooperative stated, is needed to compensate for the expense of transportation and handling incurred in this operation. Continuation also was urged of the credit for skim milk dumped or used for livestock feed to encourage pool handlers to use producer milk as a source of cream for ice cream.

A handler also supported continuation of the special pricing.

In prior decisions (31 F.R. 4732, 32 F.R. 3298, and 33 F.R. 12254) the reasons were given for the special pricing which began in April 1966. The credits are intended to promote the orderly handling of reserve milk above that for which handlers have use in pool plants. There is a need to continue these credits for a further temporary period. The conditions requiring this special pricing still exist although the quantity of milk which must be handled subject to such pricing is diminished.

In every fluid milk market a reserve of producer milk in excess of handlers' Class I use is needed to assure an adequate supply. This is because handlers' use of milk for Class I processing varies, particularly as to days of the week and seasonally. Seasonal changes in production also may result in milk produced in excess of immediate needs of handlers, but such seasonality is minimal in this market.

The problem peculiar to this market is that only very limited manufacturing facilities exist within the marketing area which is also the primary production area. Milk in excess of quantities accepted by pool handlers must therefore be transferred out of the marketing area. Nonpool manufacturing facilities, however, are available only at distant locations.

While some Class II use is made of producer milk in the ice cream and cottage cheese operations of pool handlers, these types of utilization are limited to marketing area demand for these products. The credit for dumping skim milk and for disposition in livestock feed encourages handlers with ice cream operations to use producer milk as a source of cream although such handlers may have no economic use for most of the skim milk. Producers are thus provided a return at pool plants for at least part of the milk which must go into Class II uses. In the January–May period of 1969, use in ice cream was about 18 percent of all Class II use of producer milk. This outlet would be largely eliminated without the credit since handlers would then turn to other sources for cream.

The relatively limited Class II operations in handlers' pool plants do not provide an outlet for all of marketing area production which is in excess of handlers' fluid needs. Transfer or diversion of milk to distant manufacturing plants is, therefore, the only method of obtaining an economic use of substantial quantities of milk originating from farms in the marketing area.

The magnitude of the problem of disposing of reserve milk is somewhat diminished, however, compared to a year ago. Skim milk dumped or disposed of for livestock feed in January through May of 1969 was 2,693,892 pounds, down from 4,198,919 in January–May 1968. The quantity transferred or diverted outside the marketing area was 11,804,406 in January–May 1969, down from 21,406,998 in the same months of 1968.

The decrease in quantities of Class II milk disposed of under these provisions results from a greater use by pool handlers of marketing area production and less use of out-of-area production. One large handler changed his supply to marketing area production beginning in December 1968. Prior to this he had relied on an out-of-area source. There was a decline of 14.6 million pounds in the quantity of out-of-area producer milk delivered in the January–May 1969 period compared to the same months a year before. This decrease was very close to the change in all producer milk delivered, from 152 million pounds in these months of 1968 to 137 million pounds in the same months of 1969.

Fluctuations in marketing area production have been minor and therefore have not been a reason for changes in quantities of reserve milk on the market. Monthly deliveries averaged 24.0 million pounds in 1967, 24.8 million pounds in 1968, and 24.3 million pounds in January–May 1969. Milk delivered from farms in the marketing area approximates 90 percent of all producer milk in the market.

Because of the limited uses pool handlers have for Class II milk, it is still necessary that some milk be moved to plants outside the marketing area to achieve an economic use. During the January–May 1969 period, an average of 2.4 million pounds monthly was so disposed of. This was 37 percent of all Class II producer milk.

As the primary agent in balancing milk supplies with handlers' needs, Milk Producers, Inc., necessarily incurs the main burden of handling the milk for which handlers have no immediate use. Its members provide 65 percent of the market supply. Most of this (95 percent) is produced in the marketing area.

The arrangement by the cooperative for transporting reserve milk out of the marketing area to nonpool manufacturing plants is primarily by movement through its plant at El Paso, Tex. This plant serves a dual market function: it assembles milk supplies to meet fluid requirements of pool plants in the marketing area and it ships excess milk to nonpool manufacturing plants outside the marketing area. The plant does no processing and contains only receiving and storage facilities.

From this plant the milk is moved to a manufacturing plant operated by the cooperative at Muenster, Tex., a distance of about 570 miles. The Muenster plant is the nearest manufacturing plant operated by the cooperative and capable of handling the milk from this market. Two plants at La Grange and Ballinger in Texas, previously used as outlets, have been closed. Another plant at Mangum, Okla., to which limited quantities were shipped in prior years, does not have sufficient capacity to handle the milk from this market.

Proponent cooperative stated that a 1-year extension of the special Class II price provisions which apply to milk moved out of the marketing area would be sufficient. The cooperative operates a base plan designed to adjust the production of producer members in line with the needs of handlers served by the cooperative. With another year of operation of the base plan, it was expected that the volume of reserve milk which needs to be handled in the manner described would be substantially reduced. With respect to the credit allowed for skim milk dumped or disposed of for animal feed, there was no prospect expressed by proponent of less need for this credit in future periods.

It is concluded that conditions in the market require continuation of the Class II credits for a further temporary period. A 1-year extension should be provided. There was no opposition to the proposal for extending the Class II credits for another year in the present form.

2. *Partial payments.* In the provisions for payments to producers, the term "partial payment" should be substituted for the term "advance payment."

The order requires each handler to pay each producer before the end of the month with respect to milk delivered during the first 15 days of the month at a rate which is the uniform price for the preceding month, less 30 cents for March receipts and plus 30 cents for July receipts. The order further provides that when the handler completes payment for all milk delivered during the month, he is given credit for the payment he made for milk delivered during the first 15 days of the month.

It should be made clear that the payment, although calculated from the quantity delivered in the first 15 days in the month, is in fact a partial payment for the entire quantity of milk delivered in the month. Also, the term "partial payment" is more descriptive of the type of payment to which reference is made and this term should be substituted for "advance payment" in § 1138.80 (a) and (b). The order specifies that these payments shall be made only to each producer who has not discontinued shipping to such handler before the 28th day of the month. Thus, the money calculated using the quantity of milk delivered during the first 15 days of the month would

not in any case be as much as the handler's obligation for all milk the producer has delivered up to the time of the payment.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

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

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order, as amended, regulating the handling of milk in the Rio Grande Valley marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. In § 1138.55, the introductory text preceding paragraph (a) is revised to read as follows:

§ 1138.55 Credit for specified Class II uses.

From the effective date hereof through August 1970, producer milk classified as Class II milk in the following utilizations shall be subject to a credit at the respective rates specified:

* * * * *

2. In § 1138.80, paragraph (a) is revised to read as follows:

§ 1138.80 Payments to producers.

* * * * *

(a) On or before the last day of the month, to each producer who had not discontinued shipping milk to such handler before the 28th day of the month, a partial payment equal to the uniform price for the preceding month, less 30 cents for March receipts and plus 30 cents for July receipts, multiplied by the hundredweight of milk delivered during the first 15 days of the current month less authorized deductions;

* * * * *

3. In § 1138.80(e), subparagraphs (1) and (2) are revised to read as follows:

§ 1138.80 Payments to producers.

* * * * *

(e) * * *

(1) A partial payment in the amount specified in paragraph (a) of this section; and

(2) In making final settlement, the value of such milk at the applicable uniform price, less the amount of partial payment made on such milk.

Signed at Washington, D.C., on July 25, 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-8956; Filed, July 29, 1969; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 79]

REGISTRATION OF FUEL ADDITIVES

Notice of Proposed Rule Making

Notice is hereby given that the Secretary of Health, Education, and Welfare proposes to amend Title 42, Code of Federal Regulations, by adding a new Part 79, as set forth below, applicable to the registration of fuel additives pursuant to section 210 of the Clean Air Act (42 U.S.C. 1857f–6c).

The regulations will become effective upon republication.

Interested persons may submit written data, views or arguments in triplicate in regard to the proposed regulations to the Secretary of Health, Education, and Welfare, Attention: National Air Pollution Control Administration, 801 North Randolph Street, Arlington, Va. 22203. All relevant material received not later than 30 days after publication of this notice will be considered.

Subpart A—General Provisions

Subpart A—General Provisions

§ 79.1 Applicability.

The regulations of this part apply to the registration of fuel additives contained in fuels designated by the Secretary, pursuant to section 210 of the Clean Air Act, as amended (42 U.S.C. 1857f–6c).

§ 79.2 Definitions.

As used in this part:

(a) "Act" means the Clean Air Act, as amended (42 U.S.C. 1857 et seq.).

(b) "Secretary" means the Secretary of Health, Education, and Welfare.

(c) "Commissioner" means the Commissioner of the National Air Pollution Control Administration.

(d) "Fuel" means any material which is capable of releasing energy or power by combustion or other chemical or physical reaction.

(e) "Fuel manufacturer or processor" means any person who causes or directs the alteration of the chemical composition or the mixture of chemical compounds in a fuel designated in this part by adding to it an additive.

(f) "Additive" means any substance added to a fuel designated in this part which contains an element other than carbon and/or hydrogen, except:

(1) A catalyst used in manufacturing the fuel, but removed from the fuel before such fuel is sold, and

(2) A fuel designated in this part which contains only registered additives.

(g) "Additive manufacturer" means any person who produces or formulates an additive.

(h) "Range of concentration" means the highest weekly average concentration at any single processing or manufacturing plant, the lowest weekly average concentration at any single manufacturing or processing plant, and the average concentration at all manufacturing or processing plants.

(i) "Chemical composition" means the name and percentage by weight of any compound in an additive containing an element other than carbon or hydrogen and the name and percentage by weight of each element in the additive including carbon and hydrogen.

(j) "Chemical structure" means the molecular structure of any compound in an additive containing an element other than carbon or hydrogen.

§ 79.3 Confidentiality of information.

All information reported to or otherwise obtained by the Secretary or his representatives pursuant to this part, which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of such section 1905, except that such information may be disclosed to other officers or employees of the United States concerned with carrying out this Act or when relevant in any proceeding under Title II of the Act. Nothing in this part shall authorize the withholding of information by the Secretary or any officer or employee under his control from the duly authorized committees of the Congress.

§ 79.4 Requirement of registration.

No manufacturer or processor of any fuel designated under this part may, after the date prescribed for such fuel in this part, deliver such fuel for introduction into interstate commerce or to another person who, it can reasonably be expected, will deliver such fuel for such introduction unless:

(a) For any additive contained in the fuel which does not appear on the list of registered additives maintained by the Commissioner pursuant to § 79.16, such fuel manufacturer or processor has provided the information and assurances required under § 79.11 and has received notice of the registration of such additive, and

(b) For any additive contained in the fuel which appears on the list of registered additives maintained by the Commissioner pursuant to § 79.16, such fuel manufacturer or processor, prior to or promptly upon initial use of such additive, provides the Commissioner with an assurance that he will submit the information and assurances required under § 79.11 within 30 days of such initial use.

§ 79.5 Reports of additive usage.

Each fuel manufacturer or processor shall, on April 1 and October 1 of each year, submit to the Commissioner a report of additive usage for each of the two quarterly periods comprising the 6-month period ending 1 month prior to the submission of such report. Each report shall show the range of concentration for any additive used during that quarter. Reports shall be submitted on forms which shall be supplied by the Commissioner upon request of the fuel manufacturer or processor.

Subpart B—Registration Procedures

§ 79.10 Notification by fuel manufacturer or processor.

Any manufacturer or processor of a designated fuel who wishes to have an additive registered for use in such fuel shall, at least 120 days prior to (a) the date prescribed by the Secretary in Subpart D of this part, or (b) the date on which such fuel manufacturer or processor proposes to begin introducing a fuel containing such additive for delivery into interstate commerce or to another person who, it can reasonably be expected, will deliver such fuel for such introduction, whichever date is later, notify the Commissioner, National Air Pollution Control Administration, 411 West Chapel Hill Street, Durham, N.C. 27701, in accordance with § 79.11. Each notification shall be signed by the fuel manufacturer or processor or his agent, and shall be submitted on such forms as the Commissioner shall supply upon request.

§ 79.11 Information and assurances to be provided by the fuel manufacturer or processor.

Each notification submitted by the fuel manufacturer or processor shall include the following:

(a) The commercial identifying name of any additive to be used in a designated fuel subsequent to the date prescribed for such fuel in Subpart D of this part, and any other name used by the fuel manufacturer or processor to identify such additive;

(b) The name and address of the additive manufacturer of any additive named;

(c) The range of concentration of any additive named, as follows:

(1) In the case of an additive used in a designated fuel at any time during the period beginning with the date of designation of such fuel and ending with the submission date of notification under this subpart, the range of concentration for any two successive weeks within the period beginning with such date of designation and ending with such date of notification, and

(2) For any other additive, the expected range of concentration;

(d) The purpose in the use of any additive named, including:

(1) The function the additive is designed to perform, and

(2) Summaries of any information developed by or available to the fuel manufacturer or processor concerning the following:

(i) Mechanisms of reactions between the additive and the designated fuel,

(ii) The emissions which result directly from the use of the additive in the fuel and the effect of the additive on all other emissions, and

(iii) Toxicity or injurious effects of emission products resulting from the use of the additive in such fuel;

(e) Assurances that information of the type described in subdivisions (i) and (iii) of paragraph (d)(2) of this section which is developed by or becomes available to the fuel manufacturer or processor will be provided to the Commissioner on April 1 of each year;

(f) If complete information describing both the emissions which result directly from the use of the additive in the fuel and the effect of the additive on all other emissions is not included in the notification submitted for such additive pursuant to § 79.10, the fuel manufacturer or processor shall provide assurances that such information will be provided no later than 1 year from the date of such notification. Such information shall constitute a part of the fuel manufacturer's or processor's notification for such additive;

(g) Assurances that changes in information submitted pursuant to paragraphs (a), (b), and (d)(1) of this section will be provided to the Commissioner, within 30 days of such change. Forms for reporting changes will be provided by the Commissioner at the fuel manufacturer or processor's request;

(h) Assurances that the reports of additive usage required by § 79.5 will be provided to the Commissioner; and

(i) Assurances that the fuel manufacturer or processor will not represent, directly or indirectly, in any notice, circular, letter, or other written communication, or any written, oral, or pictorial notice or other announcement in any publication or by radio or television, that registration of an additive contained in a fuel constitutes endorsement, certification, or approval of the fuel or additive by any agency of the United States.

§ 79.12 Action by the Commissioner.

Following receipt of the notification submitted by the fuel manufacturer or processor pursuant to § 79.11, the Commissioner shall, in writing, advise the manufacturer of any unregistered additive named in such notification to provide the information and assurances required by § 79.14. The Commissioner shall provide notification forms for the additive manufacturer's use.

§ 79.13 Notification by the additive manufacturer.

(a) Any additive manufacturer who has been advised by the Commissioner pursuant to § 79.12, shall file with the Commissioner, National Air Pollution Control Administration, 411 West Chapel Hill Street, Durham, N.C. 27701, a notification in accordance with § 79.14. A separate notification shall be submitted for each additive. Each notification shall be signed by the additive manufacturer or his agent.

(b) If an additive manufacturer who has been advised by the Commissioner pursuant to § 79.12 has not notified the Commissioner within 30 days after being advised pursuant to this subpart, the Commissioner shall inform any fuel manufacturer or processor concerned that the additive manufacturer's failure to notify the Commissioner will prevent registration of the additive.

(c) Any manufacturer of an additive designed for use in a fuel designated by the Secretary under Subpart D of this part may file with the Commissioner, National Air Pollution Control Administration, 411 West Chapel Hill Street, Durham, N.C. 27701, a notification in accordance with § 79.14. A separate notification, signed by the additive manufacturer or his agent, shall be submitted for each such additive.

(d) If, in the opinion of the Commissioner, such additive manufacturer has complied with the provisions of this part requiring the submission of information and the giving of assurances for any such additive, he shall provide such additive manufacturer with a letter acknowledging that compliance, and stating that registration of such additive may be accomplished at such time as any fuel manufacturer or processor complies with the notification requirements of § 79.10.

§ 79.14 Information and assurances to be provided by the additive manufacturer.

Each notification submitted by the additive manufacturer shall include the following:

(a) The recommended range of concentration of the additive;

(b) The recommended purpose in the use of the additive, including:

(1) The function such additive is designed to perform,

(2) Summaries of any information developed by or available to the additive manufacturer concerning the following:

(i) Mechanisms of reactions between the additive and the designated fuel,

(ii) The emissions which result directly from the use of the additive in the fuel and the effect of the additive on all other emissions, and

(iii) Toxicity or injurious effects of emission products resulting from the use of the additive in such fuel;

(c) The chemical composition of the additive;

(d) The chemical structure of such additive to the extent such information is available;

(e) Assurances that information of the type described in subdivisions (i) and (iii) of paragraph (b)(2) of this section which is developed by or becomes available to the additive manufacturer will be provided to the Commissioner on April 1 of each year;

(f) If complete information describing both the emissions which result directly from the use of the additive in the fuel and the effect of the additive on all other emissions is not included in the notification submitted for such additive pursuant to § 79.13, the additive manufacturer shall provide assurances that such information will be provided no later than 1 year from the date of such notification. Such information shall constitute a part of the additive manufacturer's notification for such additive;

(g) Assurances that any change in information submitted pursuant to paragraphs (a), (b)(1), (c), and (d) of § 79.14 will be provided to the Commissioner within 30 days of such change. Forms for reporting changes will be provided by the Commissioner at the additive manufacturer's request; and

(h) Assurances that the additive manufacturer will not represent directly or indirectly, in any notice, circular, letter or other written communication or any written, oral, or pictorial notice or other announcement in any publication or by radio or television that registration of any additive produced or formulated by him constitutes endorsement, certification, or approval by any agency of the United States.

§ 79.15 Determination of noncompliance.

Whenever the Commissioner determines that there are deficiencies in a notification which constitute failure to comply with the regulations of this part, he shall inform the noncomplying fuel manufacturer or processor or noncomplying additive manufacturer of the reasons for such determination. In the case of a noncompliance by an additive manufacturer, the Commissioner shall also inform any fuel manufacturer or processor concerned of such determination.

§ 79.16 Registration.

(a) If, in the opinion of the Commissioner, the provisions of this part requiring the submission of information and the giving of assurances have been complied with for a particular additive, he shall register that additive and notify the additive manufacturer and each fuel manufacturer or processor concerned of such registration.

(b) The Commissioner shall maintain a list of registered additives, each identified by the name of the appropriate additive manufacturer, which he shall publish in the Code of Federal Regulations and keep current by publication in the FEDERAL REGISTER.

Subpart C—Withdrawal of Registration

§ 79.20 Withdrawal of registration: fuel manufacturer or processor.

If the Commissioner determines that a fuel manufacturer or processor is not in compliance with the regulations of this part with respect to a registered additive, he may, after informing such noncomplying fuel manufacturer or processor of the reasons for such determination, and providing such noncomplying fuel manufacturer or processor a reasonable time in which to comply and/or to present his views concerning such determination, withdraw the registration of such additive for use in any designated fuel of such noncomplying fuel manufacturer or processor.

§ 79.21 Withdrawal of registration: additive manufacturer.

If the Commissioner determines that an additive manufacturer is not in compliance with the regulations of this part with respect to a registered additive, he may withdraw the registration of such additive and remove it from the list of registered additives maintained pursuant to § 79.16. Prior to withdrawing registration, the Commissioner shall:

(a) Inform such noncomplying additive manufacturer and all affected fuel manufacturers and processors of the reasons for such determination;

(b) Provide such noncomplying additive manufacturer a reasonable time in which to comply and/or to present his views concerning such determination; and

(c) Publish in the FEDERAL REGISTER a notice that he intends to withdraw registration, allowing interested persons 30 days in which to comment upon the intended withdrawal.

Subpart D—Designation of Fuels

§ 79.30 Scope.

Fuels designated and dates prescribed by the Secretary for the registration of fuel additives, pursuant to section 210 of the Act, are listed in this subpart. Additional fuels may be designated and additional dates prescribed as the Secretary deems advisable.

§ 79.31 Motor gasolines.

All fuels commonly or commercially known or sold as motor gasoline, with the exception of aviation gasoline, are hereby designated. All additives contained in such fuels must be registered by _____ (one hundred eighty (180) days following final publication of this notice).

Dated: July 24, 1969.

JOHN T. MIDDLETON,
Commissioner.

[F.R. Doc. 69-8866; Filed, July 29, 1969; 8:45 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 422]

GASOLINE DISPENSING PUMPS

Posting of Research Octane Ratings

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and the provisions of Part 1, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.11, et seq., has initiated a proceeding for the promulgation of a Trade Regulation Rule addressed to the subject of mandatory posting of research octane ratings, in a clear and conspicuous manner, on gasoline dispensing pumps by refiners and other marketers of gasoline products.

The Commission has initiated this proceeding having reason to believe that:

(1) Failure by refiners and other marketers of gasoline to identify the gasoline being dispensed through the pumps in terms of research octane ratings may constitute a deception, and an unfair trade practice in that it fails to provide the consumer with a criterion to which he can relate the gasoline with engine requirements of his automobile;

(2) The failure of refiners and other marketers to disclose the research octane ratings on the gasoline pumps is an unfair practice in that it does not afford to

the consumer information with any degree of preciseness as to the range of octane ratings available. In certain instances gasolines are being marketed by the descriptive grade name of "regular" which are in fact of a lower octane rating than the average acceptable range of "regular" brands normally marketed with resulting damage to the engines and in some instances the warranties on new cars are not being honored because the car owner unwittingly used a low octane gasoline which he assumed to be a "regular" blend;

(3) Refiners and other marketers of gasoline own and/or control the pumps through which gasoline is dispensed at the retail outlet;

(4) Many consumers are unaware that the engine requirements of their automobile may permit the use of a lower octane gasoline and are paying higher prices needlessly for gasolines of a higher octane rating; and, therefore,

(5) The practice of failing to disclose the research octane ratings of the gasoline being dispensed from the pump constitutes an unfair method of competition and an unfair or deceptive act or practice, in violation of section 5 of the Federal Trade Commission Act.

Accordingly, the Commission therefore proposes the following Trade Regulation Rule:

§ 422.1 The Rule.

In connection with the sale of motor gasoline for general automotive use, in commerce as "commerce" is defined in the Federal Trade Commission Act, it constitutes an unfair method of competition and an unfair or deceptive act or practice for the refiners or other marketers who own and/or control the pumps through which motor gasoline is dispensed at the retail outlet to fail to clearly and conspicuously disclose, in a permanent manner on the pumps, the research octane rating or ratings of the motor gasoline being dispensed.

NOTE: For purposes of this Rule, "research octane rating" shall mean the research octane rating as described in The American Society for Testing Materials (ASTM) "Specifications for Gasoline" (D 439–68T).

For the purpose of carrying out the provisions of the statutes administered by it, the Commission is empowered to promulgate rules and regulations applicable to unlawful trade practices. Such rules and regulations express the experience and judgment of the Commission, based on facts of which it has knowledge derived from studies, reports, investigations, hearings, and other proceedings, or within official notice, concerning the substantive requirements of the statutes which it administers.

Where a Trade Regulation Rule is relevant to any issue involved in an adjudicative proceeding thereafter instituted, the Commission may rely upon the rule to resolve the issue, provided that the respondent shall have been given a fair hearing on the applicability of the rule to the particular case.

Protection of the consuming public from false, misleading, deceptive, or unfair labeling or advertising of products is a prime duty of the Commission.

All interested persons, including the consuming public, are hereby notified that they may file written data, views, or arguments concerning the practices described herein with Joseph W. Shea, Secretary, Federal Trade Commission, Washington, D.C. 20580, not later than Tuesday, October 7, 1969. To the extent practicable, persons wishing to file written presentations in excess of two pages should submit 20 copies.

All interested parties are also given notice of opportunity to orally present data, views, or arguments with respect to these practices and the proposed rule at a public hearing to be held at 10 a.m., e.d.t., on Tuesday, October 14, 1969, in Room 532 of the Federal Trade Commission Building, Pennsylvania Avenue and Sixth Street NW., Washington, D.C.

Any person desiring to orally present his views at the hearing should so inform the Secretary not later than Wednesday, October 1, 1969, and state the estimated time required for his oral presentation. Reasonable limitations upon the length of time allotted to any person may be imposed. In addition, all parties desiring to deliver a prepared statement at the hearing should file such statement with the Secretary of the Commission on or before Tuesday, October 7, 1969.

The data, views, or arguments presented with respect to the practices in question will be available for examination by interested parties at the office of the Assistant Secretary for Legal and Public Records, Federal Trade Commission, Washington, D.C., and will be considered by the Commission in the establishment of a Trade Regulation Rule.

All persons, firms, corporations, or others engaged in the refining and marketing of motor gasoline in commerce, as "commerce" is defined in the Federal Trade Commission Act, will be subject to the requirements of any Trade Regulation Rule promulgated in the course of this proceeding.

All interested parties, including the consuming public, are urged to express their approval or disapproval of the proposed rule, or to recommend revisions thereof, and to give a full statement of their views in connection therewith.

Issued: July 25, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-8926; Filed, July 29, 1969; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 25]

[Docket No. 9611; Notice 69-30]

COMPARTMENT INTERIOR MATERIALS

Smoke Emission; Advance Notice

The Federal Aviation Administration is considering rule making to establish standards governing the smoke-emission characteristics of aircraft interior materials. The need for a smoke-emission standard for aircraft interior materials was discussed in Notice 66-26 (31 F.R. 10275, July 29, 1966). However, the FAA determined that it could not propose standards at that time because not enough was known about the smoke-emission characteristics of then-available materials to form a basis for rule making. The FAA now believes that the state-of-the-art may have developed to the point that smoke-emission standards can be established.

This advance notice of proposed rule making is being issued in accordance with the FAA's policy for early institution of public proceedings in actions related to rule making. An "advance" notice is issued when it is found that the resources of the FAA and reasonable inquiry outside the FAA do not yield a sufficient basis to identify and select tentative or alternate courses of action upon which a rule-making procedure might be undertaken, or when it would otherwise be helpful to invite early public participation in the identification and selection of such tentative or alternate courses of acton. The subject matter of this advance notice has been found to involve the situation contemplated by this policy.

Interested persons are invited to participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should identify the notice or docket number, and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. Communications should be received on or before October 28, 1969, to assure proper consideration. All comments submitted will be available in the Rules Docket, both before and after the closing date for comments, for examination by interested persons. If it is determined to proceed further, after consideration in the light of the available data and the comments received in response to this notice, a notice of proposed rule making will be issued.

Subsequent to the issuance of Notice 66-26, the FAA has conducted extensive research in an effort to determine the full extent to which available aircraft interior materials produce smoke when burning. In addition, as noted in the preamble to Amendment 25-15 (32 F.R. 13255, Sept. 20, 1967), industry development programs were established. The E. I. du Pont de Nemours & Co. (du Pont), in a petition for rule making dated June 26, 1968, stated that its research and evaluation of the smoke emission characteristics of currently-available materials established that certain of these materials, if used in aircraft interiors, would significantly advance aircraft crashworthiness. Du Pont recommended the adoption of a standard which would use the National Bureau of Standards nonflaming and flaming smoke generation tests (set forth in ASTM STP422,

1967: "Method for Measuring Smoke from Burning Materials," by D. Gross, J. J. Loftus, and A. F. Robertson) with a minmum of 2 minutes to reach the critical visibility level $D_s=16$.

Aircraft crashworthiness would be significantly upgraded if smoke emission from burning interior materials could be reduced in sufficient measure. The FAA recognizes that there are no industry-wide standards, test equipment, and test methods in common use by aircraft manufacturers, and that the current nonstandardized test practices may not yield consistent results. However, valuable technical information concerning the smoke emission characteristics of materials has been collected as a result of the FAA and industry research programs. The FAA believes that additional information may be available from other interested persons, and desires to review the entire technical situation prior to proposing the establishment of practical maximum smoke emission levels for aircraft interior materials, or the adoption of a test method or methods for evaluating the smoke emission characteristics of these materials. To this end, the FAA welcomes the participation of aircraft manufacturers, material producers, Government agencies and other interested persons and, by means of this advance notice of proposed rule making, solicits the views of all interested persons on the following questions:

1. Are there aircraft interior materials now available that, in like circumstances, emit appreciably less smoke than currently used materials, but that still meet the flame resistance standards prescribed in § 25.853 of the Federal Aviation Regulations?

2. Are there test methods that can correctly and consistently measure the smoke emission characteristics of aircraft interior materials?

3. Would it be feasible to standardize on one of these test methods to determine compliance with a specified smoke emission standard?

4. Using this standard test method, what level of smoke emission performance should be specified?

This advance notice of proposed rule making is issued under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354 (a), 1421, and 1423), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C. on July 23, 1969.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 69-8919; Filed, July 29, 1969; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-EA-45]

FEDERAL AIRWAY SEGMENTS

Proposed Alteration, Designation and Revocation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would realign numerous VOR Federal airways in the vicinity of Pittsburgh, Pa.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA proposes the following airspace actions:

1. Realign V-8 segment from Briggs, Ohio, direct Bellaire, Ohio; intersection of Bellaire 108° T (112° M) and Grantsville, Md., 285° T (289° M) radials; Grantsville; direct Martinsburg, W. Va.

2. Extend V-8N from the Flint Stone intersection direct Grantsville, Md.

3. Extend V-10 from Youngstown, Ohio, to Revloc, Pa., via intersection of Youngstown 116° T (121° M) and Clarion, Pa., 222° T (228° M) radials.

4. Realign V-12 segment from Newcomerstown, Ohio, direct Bellaire, Ohio; intersection of Bellaire 108° T (112° M) and Indian Head, Pa., 254° T (260° M) radials; Indian Head; direct Johnstown, Pa.

5. Realign V-30 segment from Akron, Ohio, direct Clarion, Pa.

6. Designate a west alternate to V-35 between Johnstown, Pa., and Morgantown, W. Va., via the intersection of the Johnstown 260° T (266° M) and Morgantown 010° T (015° M) radials (Newton, Pa., intersection).

7. Realign V-37 segment from Morgantown, W. Va., direct Indian Head, Pa., direct Clarion, Pa., direct Franklin, Pa., direct Erie, Pa.

8. Realign V-40 segment from Briggs, Ohio, to the intersection of Briggs 082° T (086° M) and Youngstown, Ohio, 186° T (191° M) radials (Lisbon, Pa., intersection). The airway would terminate at the Lisbon intersection.

9. Realign V-41 segment from the intersection of Briggs, Ohio, 082° T (086° M) and Youngstown, Ohio, 186° T (191° M) radials (Lisbon, Pa., intersection); direct Youngstown.

10. Revoke V-58 segment from Revloc, Pa., to Tyrone, Pa.

11. Realign V-75 segment from Morgantown, W. Va., direct Bellaire, Ohio, direct Briggs, Ohio.

12. Realign V-92 segment from Briggs, Ohio, direct Bellaire, Ohio; intersection Bellaire 108° T (112° M) and Grantsville 285° T (289° M) radials; Grantsville.

13. Realign V-103 segment from Clarksburg, W. Va., direct Bellaire, Ohio; intersection Bellaire 327° T (331° M) and Akron, Ohio, 182° T (186° M) radials; Akron.

14. Realign V-115 segments from Parkersburg, W. Va., direct Newcomerstown, Ohio; intersection Newcomerstown 037° T (040° M) and Franklin, Pa., 239° T (245° M) radials; Franklin, direct Tidioute, Pa.

15. Designate V-117 from Parkersburg, W. Va., direct Bellaire, Ohio; to intersection Bellaire 044° T (048° M) and Newcomerstown, Ohio, 099° T (102° M) radials (Warwood, W. Va., intersection).

16. Realign V-119 segment from Parkersburg, W. Va.; intersection Parkersburg, W. Va.; intersection Parkersburg 067° T (070° M) and Indian Head, Pa., 254° T (260° M) radials; Indian Head, direct Clarion, Pa.

17. Realign V-210 segment from Tiverton, Ohio, direct Briggs, Ohio; intersection Briggs 044° T (048° M) and Akron, Ohio 088° T (092° M) radials; intersection Akron 088° T (092° M) and Youngstown, Ohio, 116° T (121° M) radials; intersection Youngstown 116° T (121° M) and Clarion, Pa., 222° T (228° M) radials; direct Revloc, Pa.

18. Realign V-214 segment from Bellaire, Ohio; intersection Bellaire 108° T (112° M) and Indian Head, Pa., 254° T (260° M) radials; Indian Head, direct Martinsburg, W. Va.

19. Realign V-226 segment from intersection of Franklin, Pa., 175° T (181° M) and Clarion, Pa., 222° T (228° M) radials (Graham, Pa., intersection), direct Clarion. The airway would start at the Graham intersection.

20. Realign V-276 segment from Clarion, Pa., direct Tyrone, Pa.

21. Realign V-297 segment from Johnstown, Pa.; intersection Johnstown 315° T (321° M) and Clarion, Pa., 222° T (228° M) radials; intersection Clarion 269° T (275° M) and Youngstown, Ohio, 116° T (121° M) radials, direct Akron, Ohio.

22. Realign V-309 segment from Charlestown, W. Va., direct Burton, W. Va., intersection, direct Bellaire, Ohio.

23. Extend V-337 segment from the intersection of Briggs, Ohio, 082° T (086° M) and Youngstown, Ohio, 186° T (191° M) radials (Lisbon, Pa., intersection), direct Akron, Ohio.

24. Realign V-443 segment from Newcomerstown, Ohio to the intersection of Newcomerstown 099° T (102° M) and Bellaire, Ohio, 044° T (048° M) radials (Warwood, W. Va., intersection). The airway would start at the Warwood intersection.

25. Realign V-474 segment from the intersection of Morgantown, W. Va., 010° T (015° M) and Johnstown, Pa., 260° T (266° M) radials (Newton, Pa., intersection), direct Indian Head, Pa. The airway would start at the Newton intersection.

26. The Power Point, Pa., compulsory low altitude reporting point would be revoked.

If the airspace actions proposed in this docket are adopted, control of the airspace within a 30-nautical-mile radius of the Greater Pittsburgh Airport extending up to and including 14,000 feet MSL would be delegated to Pittsburgh approach control. In addition, a rectangular area, extending up to and including 4,000 feet MSL, sufficient to protect instrument approach procedures at Wheeling, W. Va., Airport would be delegated to Pittsburgh Approach Control.

The realigned airway segments would provide ingress and egress for the terminal area. No additional controlled airspace would be required. Also, no relocation of navigational aids would be required. There would be no additional requirements on the part of any aircraft operator, either IFR or VFR.

The 30-mile radius area would be free of intervening airways. This would allow approach control to provide almost uninterrupted climbs and descents to and from the en route structure. The complete capability of the terminal radar system could be more fully utilized than is possible with the existing airway configuration.

If these proposals are adopted, the following benefits are expected:

1. Minimizing the length of time high performance IFR flights would occupy the critical altitude strata used so extensively by VFR aircraft thereby reducing the VFR/IFR collision possibility.

2. By allowing IFR jet aircraft arrivals to stay as high as possible, as long as possible, and allowing jet departures to reach the higher flight levels as soon as possible, fuel consumption for these aircraft would be reduced.

3. Coordination procedures between the air route traffic control center and approach control could be simplified and allow more time for vital control functions.

4. Realignment of the airways would reduce radar scope clutter and simplify radar target identification.

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

Issued in Washington, D.C., on July 25, 1969.

T. McCormack,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-8993; Filed, July 29, 1969; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 74]

[Docket No. 18397]

COMMUNITY ANTENNA TELEVISION SYSTEMS

Order Extending Time for Filing Comments

In the matter of amendment of Part 74, Subpart K, of the Commission's rules and regulations relative to community antenna television systems; and inquiry into the development of communications technology and services to formulate regulatory policy and rulemaking and/or legislative proposals, Docket No. 18397.

1. On July 17, 1969, the National Cable Television Association, Inc. (NCTA) filed a motion for a 45-day extension of the times for filing comments and reply comments on Part V of this proceeding. Such comments and reply comments were scheduled by the Commission's order released on July 4, 1969 (FCC 69-612) to be filed on August 1, 1969, and October 1, 1969, respectively. By order of July 15, 1969, the time for filing reply comments on Part V was extended to November 3, 1969, at the request of Electronic Industries Association in order to obtain the assistance of its proposed studies. The order stated that "the Commission is desirous of receiving initial comment on Part V at an early date and will adhere to the present August 1, 1969 deadline for comments on Part V."

2. Since the questions in Part V are pertinent to issues in Part III which are now pending before the Commission for decision, it does not appear that further substantial delay in the submission of comments on Part V would serve the public interest. However, in order to accommodate the national representative of the industry most directly affected and in view of the prior extension for reply comments, the time for filing initial comments on Part V will be extended through September 5, 1969. In its order of July 4, 1969, the Commission recognized that "this date comes at the end of the summer after the vacation period" and stated that "no further extension based on such factors is contemplated."

3. *Accordingly, it is ordered*, Pursuant to § 0.289(c)(4) of the Commission's rules and regulations, that the time for filing comments on Part V of Docket No. 18397 is extended through September 5, 1969, and reply comments on Part V remain due on or before November 3, 1969.

Adopted: July 24, 1969.

Released: July 24, 1969.

[SEAL] Sol Schildhause,
Chief, CATV Task Force.

[F.R. Doc. 69-8929; Filed, July 29, 1969; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1002]

[Ex Parte No. 246]

REGULATIONS GOVERNING FEES FOR SERVICES PERFORMED IN CONNECTION WITH LICENSING AND RELATED ACTIVITIES

Extension of Time

July 24, 1969.

At the request of the Motor Carrier Lawyers Association, an interested party, the time for filing written representations in the above-entitled proceeding has been extended from August 1, 1969, to September 2, 1969.

[SEAL] H. Neil Garson,
Secretary.

[F.R. Doc. 69-8933; Filed, July 29, 1969; 8:47 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

DIRECTOR, OFFICE OF CAPITAL DEVELOPMENT AND ENGINEERING ASSOCIATE DIRECTOR (CAPITAL DEVELOPMENT), OFFICE OF CAPITAL DEVELOPMENT AND ENGINEERING

Redelegation of Authority

Pursuant to the authority delegated to me by Delegation of Authority No. 5, dated December 29, 1961, as amended, I hereby redelegate to each of the individuals listed above, for the countries or areas within the responsibility of this Regional Bureau, authority to perform the following functions, retaining for myself concurrent authority to exercise any of the functions herein redelegated:

1. Authority to negotiate loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 in accordance with the terms of the authorization of such loans;

2. Authority to implement loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund;

3. Authority to negotiate, execute, and implement agreements and other documents ancillary to loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund; and

4. Authority to provide instructions to the Missions to India, Pakistan, and Turkey with respect to individual loan agreements limiting the authority of the Missions to negotiate and execute loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and to implement loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund: *Provided, however*, That the exercise of this authority shall be subject to instructions otherwise by me or my deputy.

The following authorities enumerated above may be redelegated by the individuals listed above to qualified loan officers within the Office of Capital Development and Engineering, Bureau for Near East and South Asia:

(a) Authority described above in paragraph 1;

(b) Authority described above in paragraph 2 to the following extent:

(1) Authority to review and approve documents and other evidence submitted by borrower in satisfaction of conditions precedent to financing under such loan agreements; and

(2) Authority to review and approve the terms of contracts, amendments, and modifications thereto and invitations for bids and proposals with respect to such contracts financed by funds made available under such loan agreements; and

(c) Authority to negotiate and implement agreements and other documents ancillary to such loan agreements.

The authority described above in paragraph 2 may be redelegated by the individuals listed above to the Chief of the Loan Operations Division within the Office of Capital Development and Engineering, Bureau for Near East and South Asia, to the following extent:

Authority to approve, negotiate, execute, and implement Program Assistance Agreement Abstracts, Commodity Procurement Instructions, Financing Requests, Direct Reimbursement Approvals and Procurement Authorization/Purchase Requisitions, and amendments thereto, related to such loan agreements.

Actions within the scope of this redelegation heretofore taken by the officials designated herein are hereby ratified and confirmed.

The Redelegation of Authority from the Assistant Administrator, Bureau for Near East and South Asia, to the Director, Office of Capital Development and Finance and others, dated April 26, 1968, is hereby rescinded.

This redelegation of authority is effective immediately.

Dated: July 16, 1969.

MAURICE J. WILLIAMS,
Assistant Administrator, Bureau for Near East and South Asia.

[F.R. Doc. 69-8917; Filed, July 29, 1969; 8:46 a.m.]

SENIOR LOAN OFFICERS, OFFICE OF CAPITAL DEVELOPMENT AND ENGINEERING, CHIEF, LOAN OPERATIONS DIVISION, OFFICE OF CAPITAL DEVELOPMENT AND ENGINEERING

Redelegation of Authority

1. Pursuant to the authority delegated to me by Redelegation of Authority dated July 16, 1969, I hereby redelegate to the Senior Loan Officers, for the countries or areas within their respective assignments, authority to exercise any of the functions herein redelegated:

Authority to review and approve the terms of contracts, amendments and modifications thereto and invitations for bids and proposals with respect to such contracts financed by funds made available under loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund.

2. Pursuant to the authority delegated to me by the same Redelegation of Authority, I hereby redelegate to the Chief of the Loan Operations Division of this Bureau, or anyone acting in that capacity, authority to perform the following functions with respect to Commodity Program Assistance Loans authorized under the Foreign Assistance Act of 1961, as amended, to the countries or areas within the responsibility of this Regional Bureau, retaining for myself concurrent authority to exercise any of the functions herein redelegated;

a. Authority to approve, execute, and implement Program Assistance Agreement Abstracts and amendments thereto;

b. Authority to approve, execute, and implement Commodity Procurement Instructions and amendments thereto;

c. Authority to approve, execute, and implement Financing Requests and amendments thereto;

d. Authority to approve, execute, and implement Direct Reimbursement Approvals and amendments thereto;

e. Authority to approve, negotiate, execute, and implement Procurement Authorization/Purchasing Requisitions and amendments thereto;

f. Authority to review and approve the terms of contracts, amendments, and modifications thereto and invitations for bids and proposals with respect to such contracts financed by funds made available under loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund.

3. Actions within the scope of this redelegation heretofore taken by the officials designated herein are hereby ratified and confirmed.

4. This redelegation of authority is effective immediately.

Dated: July 16, 1969.

THEODORE H. LUSTIG,
Director, Office of Capital Development and Engineering, Bureau for Near East and South Asia.

[F.R. Doc. 69-8918; Filed, July 29, 1969; 8:46 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

CAST OR ROLLED GLASS FROM JAPAN

Antidumping Proceeding Notice

JULY 23, 1969.

On January 6, 1969, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that cast or rolled glass from

Japan, is being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a), et seq.).

The information was submitted by Lincoln and Stewart, Washington, D.C.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 69-8947; Filed, July 29, 1969; 8:49 a.m.]

SHEET GLASS FROM JAPAN

Antidumping Proceeding Notice

JULY 23, 1969.

On February 11, 1969, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27) indicating a possibility that sheet glass from Japan is being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a), et seq.).

The information was submitted by Lincoln and Stewart, Washington, D.C.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to section 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 69-8948; Filed, July 29, 1969; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

LICENSED DEALERS UNDER LABORATORY ANIMAL WELFARE ACT

List of Persons

Pursuant to § 2.127 of the regulations (9 CFR 2.127) under the Act of August 24, 1966 (80 Stat. 350, 7 U.S.C. 2131 et seq.), commonly known as the Laboratory Animal Welfare Act, notice is hereby given that, as of July 1, 1969, the following persons were licensed as dealers under said Act and regulations as indicated below:

ALABAMA

G. R. Floyd and E. A. Marchand, partners, Route 1, Box 235D, McDonald Road, Irvington 36544.

ARKANSAS

George J. E. Holzwarth, doing business as George J. E. Holzwarth Co., Post Office Box 186, Fayetteville 72701.
Pel Freez Bio-Animals, Inc., Post Office Box 68, Rogers 72756.
Ray Robison, Route 1, Casa 72025.

CALIFORNIA

The Hine Laboratories, doing business as The Lazy H. Animal Ranch, 1195 Mee Lane, St. Helena 94574.
Henry K. Knudsen, doing business as Knudsen's Biological Supplies, J 12488 South Highway 50, Lathrop 95330.
Charles V. Means, Jr., doing business as California Caviary, 10830 Prairie Avenue, Inglewood 90303.

DISTRICT OF COLUMBIA

George Mazur Enterprises, Inc., 77 Eye Street, SE., Washington 20003.

FLORIDA

Dawson Research Corp., 114 West Grant Avenue, Orlando 32806.
Research Livestock Labs, Inc., 12934 Banyon Road, North Miami 33161.

IDAHO

Nez Perce Humane Society, Inc., Post Office Box 568, Lewiston 83501.

ILLINOIS

Oscar V. Calanca, doing business as Calanca's Beagles, Rural Route 1, Box 175, Grayslake 60030.
Don A. Carlson and Carl S. Carlson, partners, doing business as Viking Kennels, 238 Sanders Road, Deerfield 60015.
General Foods Corp., Rural Route 3, St. Anne 60964.
Robert R. Motsinger, Rural Route 2, St. Joseph 61873.
National Dairy Products Corp., 801 Waukegan Road, Glenview 60025.
Omis Corp., 504 North Parkside Avenue, Chicago 60644.
Bertha Peterson, 801 Greenwood, Waukegan 60085.
Dr. J. L. Prince, doing business as Conditioning Animal Center, 2348 Western Avenue, Park Forest 60466.
Research Industries Corp., Post Office Box 97, Route 1, Monee 60449.
Thompson Research Foundation, Route 1, Box 97, Monee 60449.
Lewis N. Warren, Box 125, Pana 62557.
Wedgo's Creek Research Farm, 1810 Frontage Road, Northbrook 60062.

INDIANA

Robert A. Everett, doing business as Oakdale Farm & Kennel, Rural Route 5, Decatur 46733.
Robert Metcalf, Route 1, Box 88, Auburn 46706.
David W. Wilson, doing business as Wilson Small Animal Farm, Rural Route 3, Box 91, Vincennes 47591.
Alton S. Windsor, Sr., doing business as Windsor Biology Gardens, Box 1210, Bloomington 47401.
Harry K. Zook, doing business as Maple Hill Kennel, Box 354, Morgantown 46160.

IOWA

Dewey Adams, 514 North Kent Street, Knoxville 50138.
Wayne Edward Barber, Rural Route 2, Indianola 50125.
Henry F. Bockenstedt, Rural Free Delivery 1, Earlville 52041.
Coralea Hull, Rural Route 1, Weldon 50264.
Dave Irving, Route 1, Charlton 50049.
Robert R. Lauer, doing business as Lauer's Kennels, Route 1, Fredericksburg 50630.
Elmer B. Scherbring, doing business as Clearview Kennels, Route 2, Box 80, Earlville 52041.

KANSAS

Joseph Bloomer, Lebanon 66952.
Charles M. Brink, Route 2, Box 13, Paola 66071.
Robert W. Donaldson and Donald R. Borders, partners, doing business as BCD Animals, Route 1, Silver Lake 66539.
Omer and Catharine Hosler, partners, Rural Route 2, Valley Falls 66088.
National Laboratories, 1700 63d Street, Kansas City 66106.
Kenneth Phillips, Route 1, Edgerton 66021.
Dale Sappington, doing business as Sappington Research Animal Supply, 6021 Gibbs Road, Kansas City 66106.
Theracon, Inc., Box 1493, Topeka 66601.

KENTUCKY

Walter T. Baker, Route 2, Water Valley 42085.
Earl Feeback, doing business as Bourbon County Dog Pound, County Farm, Ruddles Mills Road, Route 3, Paris 40361.
William A. Newman, Star Route, Beech Creek 42321.
M. E. Northcutt, doing business as Goodwill Kennels, Rural Route 5, Cynthiana 41031.
J. W. Toombs, Route 1, Moreland 40454.

MAINE

The Jackson Laboratory, Otter Creek Road, Bar Harbor 04609.

MARYLAND

Animal Resources, Inc., Post Office Box 67, Woodsboro 21798.
Commando K-9 Detectives, Inc., 7501 Sheriff Road, Landover 20786.
W. L. Eckert, Harney Road, Taneytown 21787.
Flow Laboratories, Inc., 12601 Twinbrook Parkway, Rockville 20850.
Dr. C. D. Hobart, doing business as Pulaski Veterinary Clinic, 9707 Pulaski Highway, Baltimore 21220.
Paul Jackson, doing business as Lab-A-La-Cat & Co., Rural Free Delivery 2, Keymar 21757.
Edgar E. Walls, Sr., Route 1, Box 57A, Centreville 21617.

MASSACHUSETTS

Country Kennels, Inc., 107 Concord Street, Holliston 01746.
John Czepiel, 26 Paderewski Avenue, Chicopee 01013.
Dr. Orville H. Drumm, doing business as O'Malley Animal Hospital, 100 Boylston Street, Clinton 01510.
Alvin C. Finch, doing business as Pineland Farm Kennels, 93 Leonard Street, Raynham 02767.
Vincent R. Malone, 42 Oakland Street, Medway 02053.
Northeast Primates, Inc., Route 114, North Main Street, Middleton 01949.

MICHIGAN

Evelyn S. Armstrong, doing business as Oak Shadows Farm, 5933 South 9th Street, Kalamazoo 49001.
Heric Fehrenbach, doing business as H-Bar-B Research Beagles, 201 Main Street, Essexville 48732.
Grant Hodgins, doing business as Hodgins Kennel, 6110 Lange Road, Howell 48843.
Laboratory Research Enterprises, Inc., 5040 Meredith Road, Kalamazoo 49002.
Edward Radzilowski, doing business as Meadow Brook Farms & Co., 10533 Gratiot, Richmond 48062.
Tri-Co Research Projects, Inc., 5620 Texas Drive, Kalamazoo 49002.
Robert J. Woudenberg and Roberta L. Woudenberg, partners, doing business as R and R Research Breeders, Route 2, Howard City 49329.

MINNESOTA

Delores N. Beise, Route 4, Hastings 55033.
Melvin Beise, Route 1, Jordan 55352.
James Goebel, Janesville 56048.
Mrs. Earland Guetzkow, New Germany 55367.
Donald Hippert, Kasson 55944.
Ben M. Kruger, Hayfield 55940.
Allen W. LaFave, 402 Third Street, SE., East Grand Forks 56721.
Norman L. Larson, doing business as Wayside Kennels, Route 2, Box 449, Long Lake 55336.
Nick Reiland, Mazeppa 55956.
Bill Ryan, Millville 55957.
Math L. Serger, Route 2, Watkins 55389.
M. J. Wachlin, Sargeant 55973.

MISSISSIPPI

Dr. Joe Martin, 125 Martin Street, Ripley 38663.
Holley Vanlandingham, Post Office Box 133, Vardaman 38878.

MISSOURI

Robert E. Barnett, Route 6, Columbia 65201.
Wanda Barnfield, doing business as Bar-Wan Rabbitry & Kennel, Route 1, Box 60, Crocker 65452.
Larry W. Faulkner, Box 566, Platte City 64079.
William A. Gragg, doing business as Argyle Dog and Cat Supplier, Argyle 65001.
Wilbert Gruenefeld, Route 1, Jonesburg 63351.
Elmer G. Hines, doing business as Sho-Me Kennels, Rural Route 1, Grain Valley 64029.
Woodrow W. Huffstutler, Vienna 65582.
Ralston Purina Co., Purina Research Farm, Gray Summit 63039.
Charles J. Strader, doing business as Lone Star Kennels, Rural Route 1, Harrisonville 64701.
Wilburn B. Wilhelm, Route 4, Lamar 64579.

MONTANA

Earl M. Pruyn, doing business as Pruyn Veterinary Hospital, 1515 Livingston, Missoula 59801.

NEBRASKA

Harold and Viola Hansen, partners, Box 371, Wakefield 68784.
Richard L. Hellman, Box 407, Gretna 68028.
Mrs. Sylvia Meisinger, Rural Route 1, Ashland 68003.
Don and Donna Merten, partners, Albion 68620.
Mrs. William Packer, Route 2, Wood River 68883.
Mrs. Donald Scarlett, 904 West Harrison, Albion 68620.

NEW HAMPSHIRE

Henry and Roger Bickford, partners, Coose Pond Road, Lyme Center 03769.
Joseph A. Carberry, 15 Emerson Parkway, Salem 03079.
John B. Simpson, Pike 03780.

NEW JERSEY

AME, Inc., Post Office Box 57, Princeton 08540.
James Joseph Barton and Edward D., partners, doing business as Barton's West End Farms, Rural Delivery 1, Box 45, Hackettstown 07840.
Henry Christ, Box 217, Marlboro Road, Old Bridge 08857.
George Clauss, 18–19 Saddle River Road, Fairlawn 07410.
John W. Jaeger, doing business as John W. Jaeger Enterprises, Post Office Box 345, Rural Delivery 1, Sussex 07461.
K–G Farms, Inc., 3651 Hill Road, Parsippany 07054.
Ernest Parker and Walter Daniels, partners, doing business as West Jersey Kennels, Lindenwold 08021.
Price Research Laboratory, Inc., 2367 Lakewood Road, Toms River 08753.
Valley Farms, Post Office Box 585, West Paterson 07424.
Barbara A. Williams, doing business as Hilldale Farms, Box 728, Rural Delivery 1, Franklinville 08322.

NEW YORK

Ronald M. Barlow, doing business as Barlow Research Animals, Ridge Road, Pompey 13138.
Mrs. Eugenia K. Bean, Rural Delivery 3, Iowa Road, Moravia 13118.
Claude Benjamin, doing business as Lake Brook Kennel, Hobart 13788.
Cornell Dog Farm, 37 Sapsucker Woods Road, Ithaca 14850.
Edward G. Fabry, 267 Congers Road, New City 10956.
Dr. Thomas M. Flanagan, doing business as Grouse Ridge Kennels, Manley Road, Norwich 13815.
Food and Drug Research Laboratories, Inc., Maurice Avenue at 58th Street, Maspeth 11378.
Patrick Grella and Harry Grohsman, Partners, doing business as New Windsor Farms, Forrester Road, Rock Tavern 12575.
George K. Holbert, Box 27, Sugar Loaf 10981.
Arthur F. Keicher, 948 South French Road, Cheektowaga 14225.
William H. Lasher, Rural Delivery 1, Catskill 12414.
Marshall Research Animals, Inc., North Rose 14516.
The Mary Imogene Bassett Hospital, Cooperstown 13326.
Steven Molnar, 231 Union Street, Box 182, Hudson 12534.
Clarence Morey, Rural Delivery 2, Waverly 14892.
Arthur Nersesian, doing business as Rock Mountain Valley Farm, Clove Valley Road, High Falls 12440.
J. J. Nowak, doing business as J. J. Nowak Kennels, 4347 Broadway, Depew 14043.
Michael Partisky, Route 52, Holmes 12531.
Arthur Phillips, Rural Delivery 2, Box 386, Warwick 10990.
Robert W. Steedman, North Road, Leroy 14482.
Donald L. Stumbo, doing business as Stumbo Farms, Reed Road, Lima 14485.
Eugene E. Wells, Box 174, Springfield Center 13468.
Warren H. Wilson, Rural Delivery 1, Naples 14512.

NORTH CAROLINA

Warren E. Bowes, Route 4, Box 20, Roxboro 27573.
Jack V. Hill, doing business as Aardvark Medical Research Utilities, Route 4, Box 332, Clinton 28328.

OHIO

A.F.R., Inc., Rural Route, Leetonia 44431.
Paul Anthony, doing business as Kiser Lake Kennels, Route 1, Trestle Road, St. Paris 43072.
Carrol Blue, doing business as Blue's Animal Farm, Route 1, Plain City 43064
Romie C. Dudding, Route 1, Box 255C, Ironton 45638.
Romeo and Quintino Marchetti, partners, doing business as Roe-Quinn, Kennels, 16728 Route 700, Burton 44021.
Frank H. Maxfield, doing business as Maxfield Animal Supply, Box 44004, 3192 Little Dry Run Road, Cincinnati 45244.
Graydon E. Miller, Route 1, Box 301, South Point 45680.
A. W. Sterrett, doing business as A. W. Sterrett Laboratory Animals, 2223 Savoy Avenue, Akron 44305.

OKLAHOMA

Charles Alexander, doing business as Alexander's Kennels, Route 1, Wayne 73095.
John Isern, doing business as Jackson County Biological Supply Co., Route 1, Blair 73526.
Anthony Pitts, doing business as Lakeside Kennels, Route 2, Sallisaw 74955.

OREGON

James Dennis, 332 A Street, Vernonia 97064.
Robert Shoemake, doing business as R. G. Kennels, 17225 Southeast McLoughlin Boulevard, Milwaukee 97222.

PENNSYLVANIA

Glenn E. Blantz, Rural Delivery 1, Annville 17003.
The Buckshire Corp., Ridge Road, Motor Route 1, Perkasie 18944.
Circle S Animal Supply, Rural Delivery 1, Pen Argyl 18072.
Ora E. Clark, Star Route, Everett 15537.
Dierolf Farms, Inc., Post Office Box 26, Rural Delivery 2, Boyertown 19512.
Sam Esposito, Box 137, Rural Delivery 1, Quakertown 18951.
Betty Free, 1339 Richland Pike, Rural Delivery 4, Quakertown 18951.
Fletcher Funkhouser, Route 2, Jonestown 17038.
Haycock Kennels, Inc., Rural Delivery 4, Quakertown 18951.
Charles Hazzard, doing business as North Creek Breeding Colony, Rural Delivery 2, Honey Brook 19344.
Russell B. Hutton, St. Thomas 17252.
M. L. Kredovski, doing business as Lone Trail Kennels, Post Office Box 46, Friedensburg 17933.
J. Glen Longenecker & Shirley J. Longenecker, partners, doing, business as Pine Glen Farms, Rural Delivery 3, Columbia Cross Roads 16914.
George E. Miller, Rural Delivery 2, Palmyra 17078.
William R. Miller, doing business as Broken Arrow Kennels, Box 111, McConnellsburg 17233.
Janet Neamand, doing business as White Eagle Farms, 2015 Lower State Road, Rural Delivery 3, Doylestown 18901.

George F. Pierce, doing business as Pleasant View Kennel, Box 131, Rural Delivery 3, Hummelstown 17036.
Three Springs Kennels, Inc., 146 Bascom Street, Pittsburgh 15214.
Noah W. Wenger, Rural Delivery 3, Box 56, Manheim 17545.
Marlin U. Zartman, Rural Delivery 2, Douglassville 19518.

RHODE ISLAND

James Leo Burke, doing business as Shangri-La Kennels, 750 Greenville Avenue, Johnston 02919.

TENNESSEE

Barney, Inc., 4119 Hillsboro Road, Nashville 37215.
Dr. James Brick, doing business as Laboratory Animal Consulting Service and Supply, 1407 Fifth Street NE., Knoxville 37921.
Terrell B. Wampler, doing business as Rocky
William L. Hargrove, Jr., West Avenue, Medina 38355.
James B. Wampler, doing business as Rocky Mountain Kennels, Post Office Box 991, Cleveland 37311

TEXAS

Baylor University College of Medicine, 1200 Moursund Avenue, Houston 77025.
Granville Dawson, Post Office Box 181, Caldwell 77836.
Dr. Lavell T. Davis, doing business as Davis Biotic Supply, 2500 West Morton, Denison 75020.
Dr. J. L. Markham, doing business as Markham Veterinary Clinic, 510 Hereford Highway, Canyon 79015.
Carmon Nichols, 103 Elm Street, Bonham 75418.
Dr. M. G. Scroggs, 300 North University Drive, Fort Worth 76106.
Dr. James E. Teague, doing business as Dublin Veterinary Clinic, Post Office Box 206, Dublin 76446.
Aubrey E. Wolf, Route 1, Box 488, Belton 76513.

UTAH

Thomas F. Imlay, doing business as Dogs for Research, 4996 South Redwood Road, Murray 84107.

VERMONT

Rosaire Paradis, Enosburg Falls 05450.

VIRGINIA

ANTEC Corp., Post Office Box 909, Leesburg 22075.
Gordon Barnette, Route 3, Box 42, Chase City 23924.
Tom R. Bright, Box 575, Coeburn 24230.
Sidney J. Edwards, 4401 Green Dell Road, Chesapeake 23321.
Hazleton Research Animals, Inc., Post Office Box 8, Midlothian 23113.
John Henry, Middletown 22645.
Leslie H. Judd and Ronnie Judd, partners, doing business as Rockey Lane Kennels, Route 1, Edinburg 22824.
Noel E. Leach, doing business as Leach Kennels, Route 3, Chase City 23924.
Jack T. Musick, 2333 Shakeville Road, Bristol 24201.
Earl Saunders, doing business as Myers Creek Kennel and Supply Co., Route 2, Box 666, Lancaster 22503.
John F. Thompson, Rural Free Delivery 2, Box 63, Saltville 24370.

WASHINGTON

H. D. Cowan, 18015 140th Avenue SE., Renton 98055.
Robert L. Dry and Margot F. Dry, partners, doing business as Berliner Zwinger Kennels, Route 1, Box 302, Colbert 99005.
Charles C. Kruger, D.V.M., doing business as Schaferhaus Kennels, 1043 South 140th Street, Seattle 98168.
Dr. Zane W. Roth, 1315 Rainier Avenue South, Seattle 98144.
Mrs. Janet R. Wilcox, doing business as Jareaux Kennels, 26607 Pacific Highway South, Kent 98031.

WEST VIRGINIA

Mrs. Ella Jane Custer, doing business as Custer's Boarding Kennels, Dallas Pike, Triadelphia 26059.
R. H. Kester, doing business as Ro-Lyn Kennels, Route 4, Box 249, Martinsburg 25401.

WISCONSIN

Wayne Anderson, Route 2, Box 160, Richland Center 53581.
Fred J. Barr, doing business as Barr Beagle Kennels, Route 2, Greenwood 54437.
John W. Evans, doing business as Merry Hill Kennel, Route 1, Box 177, Sun Prairie 53590.
Vilas E. Misner and Paul K. Anderson, partners, doing business as Northland Research Kennel, 240 North LaSalle Avenue, Barron 54812.
Walter Peuschel, 13101 North Wauwatosa Road, 76 West Mequon 53092.
Ridglan Farms, Inc., 301 West Main Street, Mount Horeb 53572.
Leonard Tauber, Route 1, Waldo 53093.

Done at Washington, D.C., this 22d day of July 1969.

E. E. SAULMAN,
Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 69-8920; Filed, July 29, 1969; 8:47 a.m.]

Packers and Stockyards Administration

[P. & S. Docket No. 402]

MARKET AGENCIES AT UNION STOCK YARDS

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on February 19, 1969 (28 A.D. 172), continuing in effect to and including February 28, 1971, an order issued on January 7, 1969 (28 A.D. 17), authorizing the respondents, Market Agencies at Union Stock Yards, Chicago, Ill., to assess the current temporary schedule of rates and charges.

On July 9, 1969, a petition was filed on behalf of the respondents requesting authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below, and requesting that the current schedule, as so modified, be continued in effect to and including February 28, 1971.

SECTION B—SELLING CHARGES

Sheep or goats	Present	Proposed
Consignments of one head and one head only.	$0.58	$0.63 per head.
Consignments of more than one head:		
First 10 head in each 250 head.	.43	.48 per head.
The next 50 head in each 250 head.	.36	.41 per head.
The next 60 head in each 250 head.	.23	.28 per head.
The next 130 head in each 250 head.	.18	.23 per head.

SECTION C—OPEN MARKET BUYING CHARGES

Cattle	Present	Proposed
Consignments of one head and one head only.	$1.70	$1.90 per head.
Consignments of more than one head:		
First 5 head in each consignment.	1.50	1.65 per head.
Next 10 head in each consignment.	1.45	1.60 per head.
Each head over 15 head in each consignment.	1.40	1.55 per head.

CATTLE, MAXIMUM CHARGE

PRESENT

In no instance shall the charge for buying a consignment of cattle exceed the aggregate of $48 for the first 24,400 pounds, plus 18 cents for each additional 100 pounds or fraction thereof, plus extra service provided in section E.

PROPOSED

In no instance shall the charge for buying a consignment of cattle exceed the aggregate of $53 for the first 24,400 pounds or less, plus 20 cents for each additional 100 pounds or fraction thereof, plus extra service charges provided in section E.

Calves	Present	Proposed
Consignments of one head and one head only.	$1.00	$1.10 per head.
Consignments of more than one head:		
First 5 head in each consignment.	.85	.95 per head.
Next 10 head in each consignment.	.70	.80 per head.
Each head over 115 head in each consignment.	.60	.70 per head.

CALVES, MAXIMUM CHARGE

PRESENT

In no instance shall the charge for buying a consignment of calves exceed the aggregate of $48 for the first 24,400 pounds, plus 18 cents for each additional 100 pounds or fraction thereof, plus extra service charges provided in section E.

PROPOSED

In no instance shall the charge for buying a consignment of calves exceed the aggregate of $53 for the first 24,400 pounds, plus 20 cents for each additional 100 pounds or fraction thereof, plus extra service charges provided in section E.

Bulls	Present	Proposed
Consignments of:		
One head and one head only weighing over 1,000 pounds.	$2.10	$2.30 per head.
One head and one head only weighing 700 to 1,000 pounds.	1.80	2.00 per head.
Consignments of more than one head:		
Each animal weighing 700 pounds and over.	1.80	2.00 per head.
All bulls weighing less than 700 pounds.	Apply cattle rate.	

SHEEP OR GOATS

PRESENT

The rates for buying sheep or goats shall be the same as the rates shown in section B for selling such livestock.

PROPOSED

Consignment of one head and one head only.	$0.63 per head.
Consignment of more than one head:	
First 10 head in each 250 head.	$0.48 per head.

SHEEP OR GOATS—Continued

PROPOSED

The next 50 head in each 250 head.	$0.41 per head.
The next 60 head in each 250 head.	$0.28 per head.
The next 130 head in each 250 head.	$0.23 per head.

The modifications, if authorized, will produce additional revenue for the respondents and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 10 days after the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of July 1969.

DONALD A. CAMPBELL,
Administrator, Packers and Stockyards Adminstration.

[F.R. Doc. 69-8925; Filed, July 29, 1969; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-166 (Reopened)]

AMERICAN EXPORT ISBRANDTSEN LINES, INC.

Notice of Cancellation of Prehearing Conference—Trade Route No. 5-7-8-9 Cargo Service With Containerships

Notice is hereby given that the prehearing conference in Docket No. S-166 (Reopened) which was scheduled to be held on August 5, 1969, in accordance with the notice appearing in the FEDERAL REGISTER issue of July 8, 1969 (34 F.R. 11321), is hereby canceled and will be rescheduled in the near future.

Dated: July 28, 1969.

By Order of the Maritime Sudsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-8999; Filed, July 29, 1969; 9:19 a.m.]

Office of the Secretary

[Department Order 134]

ASSISTANT SECRETARY FOR ADMINISTRATION

Designation and Authority

JULY 1, 1969.

The following order was issued by the Secretary of Commerce effective July 1, 1969. This material supersedes the material appearing at 32 F.R. 13678 of September 29, 1967.

SECTION 1. *Purpose.* .01 This order prescribes the scope of authority and the duties and responsibilities of the Assistant Secretary for Administration, and prescribes the organization structure of his office.

.02 This revision reorganizes the budget and financial management functions under the Assistant Secretary for Administration. The Assistant Secretary for Administration shall arrange, as he deems appropriate, for the transfer of personnel affected by this order to the new organization elements involved.

SEC. 2. *Administrative designation.* The position of Assistant Secretary of Commerce established by section 304 of Public Law 83-471 of July 2, 1954 (68 Stat. 430; 15 U.S.C. 1506), shall continue to be designated as the Assistant Secretary for Administration. The Assistant Secretary for Administration is appointed by the President by and with the advice and consent of the Senate.

SEC. 3. *Scope of authority.* .01 Pursuant to the authority vested in the Secretary of Commerce by law, and subject to such policies and directives as the Secretary may prescribe, the Assistant Secretary for Administration is hereby delegated the authority of the Secretary on administrative management matters of the Department. This delegation shall include the conduct of all administrative management functions required in the overall management of the Department as well as the provision of administrative management services directly to the Office of the Secretary and, as herein specified, to all or some operating units of the Department.

.02 The authority delegated to the Assistant Secretary for Administration in paragraph .01 above shall include authority to carry out the Secretary's responsibilities for fulfilling the objectives and effecting compliance throughout the Department with the requirements of Title VI of the Civil Rights Act of 1964, Executive Order 11246, Executive Orders 11247, and 11375, and any other statutes, Executive Orders and regulatory provisions relating to equal opportunity under which the Secretary or the Department may have responsibilities. For purposes of carrying out these responsibilities and as required by the applicable Executive Orders or implementing regulations of the Secretary of Labor or the Civil Service Commission, the Assistant Secretary for Administration is designated as the Contracts Compliance Officer and the Director of Equal Employment Opportunity for the Department and is authorized to (a) upon recommendations of the heads of operating units, and with the approval of the respective Program Secretarial Officers involved, designate Deputy Contracts Compliance and Equal Employment Opportunity Officers for the operating units; and (b) designate Deputy Contracts Compliance and Equal Employment Opportunity Officers for the Office of the Secretary.

.03 Subject to applicable laws and regulations, the Assistant Secretary for Administration may redelegate his authority to any officer or employee of the Department subject to such conditions in the exercise of the authority as he may prescribe; however, his authority to designate Deputy Contracts Compliance Officers and Equal Employment Opportunity Officers may not be redelegated.

SEC. 4. *Office of Assistant Secretary for Administration.* .01 The Office of the Assistant Secretary for Administration shall consist of:

a. Immediate Office of the Assistant Secretary:

(1) Deputy Assistant Secretary for Administration, who shall be the principal assistant of the Assistant Secretary for Administration and shall assume the latter's full duties during absences of the Assistant Secretary.

(2) Special Assistant for Equal Opportunity.

b. Departmental offices:

Office of Administrative Services.
Office of Audits.
Office of Budget.
Office of Emergency Readiness.
Office of Financial Management Services.
Office of Investigations and Security.
Office of Management and Organization.
Office of Personnel.
Office of Publications.

c. Financial Systems Staff.

d. Appeals Board.

.02 Except for the Appeals Board, which is assigned to the Office of the Assistant Secretary for Administration for administrative purposes only, the Assistant Secretary for Administration is authorized to issue Department Orders, supplemental to this order, redelegating authority to officials reporting to him, and prescribing the functions and internal structure of the organizational elements under him.

SEC. 5. *Duties and responsibilities.* .01 The Assistant Secretary for Administration shall serve as the principal adviser to the Secretary and as the chief officer of the Department on administrative management. As such, he shall be concerned with:

a. The recruitment, development, motivation, and compensation of personnel, including the effective use of human resources in carrying out the programs of the Department.

b. The improvement of management structures, systems, tools and practices towards achieving the highest practical degree of effectiveness, efficiency and economy in programs of the Department.

c. The planning, budgeting and management of financial resources so as to assume optimum utilization of funds in carrying out programs of the Department.

d. The efficient provision of common administrative and related support services required for the effective conduct of programs of the Department. These services shall include procurement, property, space, safety, motor vehicle, mail, communications, library, and related activities.

e. The audit of operations and contracts or other agreements of the Department to determine deficiencies that may exist, to recommend corrective action, to uncover opportunities for increased efficiency and economy, and to establish

a basis for settling contracts and claims.

f. The achievement by the Department of a high state of planning and readiness for responding to national emergencies and major disasters.

g. The conduct of investigations and related work as required to determine that prospective employees meet, and that present employees maintain, required standards of character, loyalty, honesty and conduct; and the conduct of operations required to assure physical security of the Department's property and records.

h. The provision of printing, design, graphics, editorial and related promotional, distribution and control services as will contribute to the effectiveness of the Department's publications and other printed materials, with due regard for reasonable costs.

i. The conduct of activities required to assure nondiscrimination in federally assisted programs and by contractors and subcontractors of the Department.

.02 In carrying out the above responsibilities, the American Secretary shall:

a. Develop and issue policies, standards and procedures for administrative management functions throughout the Department, and provide functional appraisal and supervision in the conduct of such functions by operating units.

b. Directly provide the administrative management services required by the Office of the Secretary, and, as determined by the Secretary or by agreement between the Assistant Secretary for Administration and the Program Secretarial Officer concerned, directly provide particular administrative management services to specified operating units of the Department.

c. Conduct a centralized audit function that shall extend to the activities of all organizations of the Departments, with such special exceptions as the Assistant Secretary for Administration may determine.

d. Conduct a centralized procurement function that shall serve the Office of the Secretary and various operating units as specified in Department Order 46.

e. Provide central publications, printing, and related services for organizations of the Department except as the Secretary may authorize particular organizations to provide some such services, as specified, for themselves.

.03 The Assistant Secretary shall be responsible for coordination and liaison with the Bureau of the Budget, the Civil Service Commission, the General Services Administration, and the General Accounting Office on all applicable matters of administrative management, provide central liaison for the Department with the Appropriations Committees, coordinate administrative management matters of the Department with other departments and agencies, and otherwise represent the Department on such matters with other public or private groups.

SEC. 6. *Savings provision.* The provisions of Department and Administrative Orders, circulars, or memoranda which are inconsistent or in conflict with the provisions of this order are hereby constructively amended or superseded accordingly.

MAURICE H. STANS,
Secretary of Commerce.

[F.R. Doc. 69-8896; Filed, July 29, 1969; 8:45 a.m.]

[Department Order 134-3]

DIRECTOR, OFFICE OF BUDGET

Delegation of Authority and Function

JULY 1, 1969.

This material supersedes the material appearing at 32 F.R. 10381 of July 14, 1967, and 33 F.R. 9840 of July 9, 1968.

SECTION 1. *Purpose.* This order delegates authority to the Director, Office of Budget and prescribes the organization and functions of the Office of Budget.

SEC. 2. *General.* The Office of Budget shall be headed by a Director who shall report and be responsible to the Assistant Secretary for Administration. The Director shall be assisted by a Deputy Director who shall perform the functions of the Director during the latter's absence.

SEC. 3. *Delegation of authority.* .01 Pursuant to the authority vested in the Assistant Secretary for Administration by Department Order 134 and subject to the applicable provisions of law, regulation, and such policies and instructions as the Assistant Secretary for Administration may prescribe, the Director, Office of Budget is delegated the authority vested in the Assistant Secretary for Administration pertaining to budget planning and management for the Department.

.02 The Director, Office of Budget, may redelegate his authority to appropriate officials of the Office of Budget and to operating units of the Department subject to such conditions in the exercise of such authority as he may prescribe.

SEC. 4. *Organization and functions.* .01 The Office of Budget shall consist of:

a. Office of the Director.
b. Budget Coordination Division.
c. Budget Review and Analysis Staff.
d. Reports Coordination Division.

.02 The Director shall be the Budget Officer for the Department of Commerce, shall be the adviser to, and serve as the representative of, the Assistant Secretary for Administration in matters relating to budget formulation and execution, and shall serve as adviser to other Departmental officials with respect to these matters. He shall represent the Department on budgetary matters affecting the Department, and shall establish and maintain close working relationships with the Bureau of the Budget, with the Appropriations Committees, and with other Government agencies.

.03 The Budget Coordination Division shall establish standards and criteria for preparation of budget estimates and justifications; provide coordination of budget programs and activities which require consolidated action by the Department; disseminate and interpret Bureau of the Budget directives and circulars on budget matters; prepare instructions for submission of budget estimates and coordinate their preparation and review; maintain information on status and progress of Appropriations Committees activities and appropriations bills; prepare Department budget summaries and analyses; maintain Department's budget history; coordinate administration of interagency budget programs and estimates; provide technical assistance to examining groups and operating units as requested on technical budget matters; and maintain liaison with Bureau of the Budget staff and with staffs of Appropriations Committees on budget matters.

.04 The Budget Review and Analysis Staff shall within their assigned program areas examine all budget proposals for conformance to policies, for adequacy of justifications and appropriation language, for existence of statutory authorization, for feasibility and economy of the proposals, for accuracy and consistency of schedules, and for conformity with instructions governing submission of budget estimates; examine and clear apportionment requests; analyze program and financial plans and proposals for reprograming for conformance to Departmental policies and commitments; maintain a continuous review of the status of obligations, expenditures and program progress; provide staff assistance and advice to Secretarial Officers and other officials in the preparation of budgets and related materials, and in the solution of budgeting and financing problems; evaluate budgeting and financial policies and programs and make recommendations to appropriate officials when improvements are needed; and provide continuous liaison and point of contact between officials in assigned program areas and appropriate staff of the Office of the Secretary and Bureau of the Budget on budget and finance matters.

.05 The Reports Coordination Division shall establish reporting requirements and formats from operating units for information on fiscal plans and status, budget execution and program accomplishments as will best meet the needs of the Secretary and Secretarial Officers in the overall management of the Department; analyze, consolidate as appropriate, or otherwise treat the reports received in such a manner as will improve the utilization by the Secretary and the Secretarial Officers of the information contained therein; and prepare special reports or prepare briefings for the Secretary and Secretarial Officers on significant fiscal, budget and program execution problems that arise.

SEC. 5. *Department of Commerce Budget Council.* There shall be a Department of Commerce Budget Council, which shall consist of the Director, as Chairman, and the budget officers of the primary operating units. The Council will meet on call from the Chairman for the purpose of advising and assisting in the development of budget policies and programs necessary to achieve maximum

effectiveness of such activities throughout the Department.

LARRY A. JOBE,
Assistant Secretary for Administration.

[F.R. Doc. 69-8897; Filed, July 29, 1969; 8:45 a.m.]

[Department Order 134-10]

DIRECTOR, OFFICE OF FINANCIAL MANAGEMENT SERVICES

Delegations of Authority

JULY 1, 1969.

SECTION 1. *Purpose.* This order delegates authority to the Director, Office of Financial Management Services, and prescribes the organization and functions of the Office of Financial Management Services.

SEC. 2. *General.* .01 The Office of Financial Management Services shall be headed by a Director, who shall report and be responsible to the Assistant Secretary for Administration.

.02 There is hereby transferred to the Office of Financial Management Services the Data Processing Division of the Office of Administrative Services.

SEC. 3. *Delegation of authority.* .01 Pursuant to the authority vested in the Assistant Secretary for Administration by Department Order 134 and subject to the applicable provisions of law, regulation, and such policies and instructions as the Assistant Secretary for Administration may prescribe, the Director, Office of Financial Management Services, is delegated authority vested in the Assistant Secretary for Administration to provide accounting and related financial services to the Office of the Secretary, and, as may be designated by the Secretary or as agreed by the Assistant Secretary for Administration and the Program Secretarial Officer involved, to particular operating units.

.02 The Director, Office of Financial Management Services, may redelegate his authority to appropriate officials of the Office of Financial Management Services, subject to such conditions in the exercise of such authority as he may prescribe.

SEC. 4. *Organization and functions.* .01 The Office of Financial Management Services shall consist of:

Office of the Director.
Working Capital Fund Division.
Central Accounting Division.
Data Processing Division.

.02 The Director shall be responsible for managing and supervising all functions of the Office of Financial Management Services assigned to the components of the office as provided in the subsequent paragraphs of this section.

.03 The Working Capital Fund Division shall perform the accounting for and manage the Working Capital Fund, and on a reimbursable basis through the Working Capital Fund, shall provide budgeting services for the Office of the Secretary, and, as agreed by the Assistant Secretary for Administration and the Program Secretarial Officer involved, for stated operating units. This division shall also be responsible for the consolidated billings of the Department and for the preparation of formal consolidated accounting statements for the Department.

.04 The Central Accounting Division shall, on a reimbursable basis through the Working Capital Fund, provide accounting, except for the Working Capital Fund, payrolling and related services for the Office of the Secretary, regional economic development commissions and the Alaska field committee, and, as agreed by the Assistant Secretary and the Program Secretarial Officer involved, for stated operating units.

.05 The Data Processing Division, on a reimbursable basis through the Working Capital Fund, shall provide computer and related data processing services for the central accounting functions, and shall provide such other ADP operating services for the Office of the Secretary as may be assigned by the Assistant Secretary for Administration.

LARRY A. JOBE,
Assistant Secretary for Administration.

[F.R. Doc. 69-8898; Filed, July 29, 1969; 8:45 a.m.]

[Department Order 134-11]

FINANCIAL SYSTEMS STAFF

Organization and Function

JULY 1, 1969.

SECTION 1. *Purpose.* This order prescribes the functions of the Financial Systems Staff.

SEC. 2. *General.* The Financial Systems Staff shall be headed by the Chief, Financial Systems Staff, who shall report and be responsible to the Assistant Secretary for Administration.

SEC. 3. *Functions.* The Financial Systems Staff shall:

a. Formulate policies, standards and criteria for financial management accounting systems (including procedures for the administrative control of funds) within the Department;

b. Review accounting systems, proposals and modifications, and approve or recommend approval of system changes;

c. Review plans and schedules of accounting organizations for converting to approved systems or for effecting improvements or other changes required, and advise the Assistant Secretary for Administration on the adequacy of such plans of action;

d. Advise and consult with organizations of the Department, including the Office of Financial Management Services, on accounting systems and operating problems; conduct such analyses as may be required to outline approaches or solutions to such problems; and otherwise provide technical assistance to organizations of the Department toward the attainment of modern and efficient financial accounting; and

e. Provide liaison with the General Accounting Office, Treasury Department, and Bureau of the Budget on accounting system matters.

SEC. 4. *Department of Commerce Finance Council.* There shall be a Department of Commerce Finance Council, which shall consist of the Chief, Financial Systems Staff, as Chairman, and the chief finance or accounting officer of each primary operating unit. The Council will meet on call from the Chairman for the purpose of advising and assisting in the development of finance management accounting policies and programs necessary to achieve maximum effectiveness of such activities throughout the Department.

LARRY A. JOBE,
Assistant Secretary for Administration.

[F.R. Doc. 69-8899; Filed, July 29, 1969; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-73]

GENERAL ELECTRIC CO.

Notice of Issuance of Facility License

No request for a hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on July 3, 1969 (34 F.R. 11221), the Atomic Energy Commission has issued Amendment No. 9 to Facility License No. R-33. The amendment authorizes the General Electric Co. to operate its Nuclear Test Reactor located at the Vallecitos Nuclear Center at power levels up to a maximum of 100 kilowatts (thermal).

The amendment was issued in the form set forth in the notice of proposed action except for the incorporation of supplement dated May 28, 1969, to the application for amendment. This supplement submitted revised pages to the Safety Analysis Report but did not involve information not previously evaluated by the Commission.

Dated at Bethesda, Md., this 22d day of July 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 69-8893; Filed, July 29, 1969; 8:45 a.m.]

[Docket No. 27-46]

INTERNATIONAL CHEMICAL AND NUCLEAR CORP., TRACERLAB TECHNICAL PRODUCTS DIVISION

Notice of Issuance of Byproduct, Source, and Special Nuclear Material License

No request for a hearing or petition for leave to intervene having been filed following publication of the Notice of Proposed Issuance of Byproduct, Source, and Special Nuclear Material License, the Atomic Energy Commission has this date issued License No. 20-13235-02

authorizing International Chemical and Nuclear Corp., Tracerlab Technical Products Division, to receive and possess packaged waste byproduct, source, and special nuclear material in any State of the United States except in Agreement States, as defined in § 30.4(c), 10 CFR Part 30, to store the packages at its facility located at 1601 Trapelo Road, Waltham, Mass., and to dispose of the packaged waste byproduct, source, and special nuclear material by transfer to authorized land burial sites. The license is in the form set forth in the Notice of Proposed Issuance published in the FEDERAL REGISTER on July 4, 1969, 34 FR 11275.

Dated at Bethesda, Md., July 24, 1969.

For the Atomic Energy Commission.

J. A. McBRIDE,
Director,
Division of Materials Licensing.

[F.R. Doc. 69-8894; Filed, July 29, 1969; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report 450]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

JULY 28, 1969.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign, and nature of application

180-C2-ML-70—New York Technical Institute of Cincinnati, Inc. (KQC877), Modification of license to change frequency from: 35.58 MHz to: 43.58 MHz at station located at 1014 Vine Street, Cincinnati, Ohio.

181-C2-ML-70—Pocket Phone Broadcast Service, Inc. (KEA777), Modification of license to change frequency from: 35.58 MHz to: 43.58 MHz at station located at Rand Building, northwest corner of Broadway and Washington Streets, Buffalo, N.Y.

182-C2-ML-70—New York Technical Institute of Cincinnati, Inc. (KQC884), Modification of license to change frequency from: 35.58 MHz to: 43.58 MHz at location No. 1: 375 Midland Street, Highland Park, Mich. and location No. 2: Broderick Tower Building, 10 Witherell Street, Detroit, Mich.

183-C2-ML-70—New York Technical Institute of Cincinnati, Inc. (KAA893), Modification of license to change frequency from: 35.22 MHz to: 43.58 MHz at station located at Grand Boulevard and Olive Avenue, St. Louis, Mo.

186-C2-TC-70—Triangle Telephone Co. (KBM511), Consent to transfer of control from: Triangle Telephone Co., Transferor, to: Allied Telephone Co., Transferee.

187-C2-AL-70—Answer Iowa, Inc., doing business as Answer-All of Grand Island (KLF552), Consent to assignment of license from: Answer Iowa, Inc., doing business as Answer-All of Grand Island, Assignor, to: Paul D. Jones, doing business as Answer-All of Grand Island, Assignee.

188-C2-P-(3)-70—Oregon Mobile Telephone Co. (New), C.P. for new 2-way station to be located at 6110 northeast Union Street, Mount Scott, Oreg., to operate on frequencies 454.025, 454.125, 454.225 MHz.

189-C2-P-70—Com-Nav, Inc. (New), C.P. for new 2-way station to be located at Copeland Hill, approximately 3 miles west of East Holden, Maine, to operate on frequency 152.03 MHz.

190-C2-P-70—The Chesapeake & Potomac Telephone Co. of Virginia (KIG852), C.P. to change antenna system and relocate facilities to: On Poore Mountain, approximately 2.5 miles west of Airpoint, Va., operating on frequency 152.63 MHz; replace transmitter for same. Also add base station to operate on frequency 152.81 MHz.

191-C2-P-70—William J. and Eleanor R. Curtin, doing business as Curtin-Call Communications (New), C.P. for new 1-way station to be located at 801 South 52d Street, Omaha, Nebr., to operate on frequency 158.70 MHz.

192-C2-P-70—Indiana Bell Telephone Co. (KSC366), C.P. to replace transmitter operating on base frequency 152.63 MHz at station located at Beach Hilltop Subdivision Road, 1346 feet northeast of Hillcrest Road, Vincennes, Ind.

215-C2-AL-(2)-70—ATS Mobile Telephone, Inc. (KBM512) (KBM513), Consent to assignment of license, pursuant to court order, from ATS Mobile Telephone, Inc., Assignor, to Edward Mullery as Receiver, Assignee.

216-C2-P-(3)-70—Page A Fone Corp. (KKG410), C.P. for additional facilities to operate on base frequencies 454.025, 454.075, 454.175 MHz at station located at 4905 Bridge Street, Fort Worth, Tex.

217-C2-P-70—AAA Anserphone, Inc., Jackson (New), C.P. for a new 2-way station to be located at Old Kingston Road, 4 miles south-southeast of Natchez, Miss., to operate on base frequency 152.12 MHz.

229-C2-P-70—Pocket Phone Broadcast Service, Inc. (KEA777), C.P. to replace transmitter operating on frequency 35.58 MHz at station located at northwest corner of Broadway and Washington Streets, Buffalo, N.Y., and change from AM to FM operation. Also correct coordinates to read: lat. 42°53'10" N., long. 78°52'25" W.

558-C2-R-70—Michigan Bell Telephone Co. (KQM40), Renewal of (Developmental) license expiring Sept. 20, 1969. Term: Sept. 20, 1969, to Sept. 20, 1970.

230-C2-P-70—Radio Relay Corp. (KSC645), C.P. to relocate facilities to: 1000 Lake Shore Drive, Chicago, Ill., operating on frequency 35.58 MHz; replace transmitter for same. Also delete existing standby transmitter. Change from AM to FM operation.

231-C2-P-70—Radio Relay Corp. (KAA893), C.P. to replace transmitter operating on frequency 35.22 MHz at station located at Grand Boulevard and Olive Avenue, St. Louis, Mo. Change from AM to FM operation.

232-C2-P-70—Radio Relay Corp. (KQC884), C.P. to replace transmitter operating on frequency 35.58 MHz at location No. 2: 10 Witherell Street, Detroit, Mich. Change from AM to FM operation.

233-C2-P-70—Radio Relay Corp. (KQC877), C.P. to replace transmitter operating on frequency 35.58 MHz at station located at 1014 Vine Street, Cincinnati, Ohio. Change from AM to FM operation.

197-C2-R-69—Coast Mobilphone Service (KMD348), Renewal of license expiring Apr. 1, 1969. Term: Apr. 1 1969, to Apr. 1, 1974.

249-C2-P-(3)-70—Houston Mobilfone, Inc. (KKA343), C.P. for additional channels to operate on frequencies 454.25, 454.30, 454.35 MHz at station located at 11918 Almeda Road, Houston, Tex.

[1] All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

[2] The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

Corrections

129–C2–P–70—General Telephone Co. of Florida (KIY397), Correct to read: C.P. to add an additional channel to operate on 152.75 MHz at its station located 525 feet south of Proctor Road and 125 feet east of Honore Road, Bee Ridge, Fla. All other particulars same as reported on public notice dated July 22, 1969, Report No. 449.

36–C2–P–70—Andrew V. Dibrell (New), Correct to read: C.P. for new 1-way station to be located at 612 Allende Street, Laredo, Tex., to operate on frequency 152.24 MHz. All other particulars same as reported on public notice dated July 14, 1969, Report No. 448.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reason of potential electrical interference.

New York:
Long Island Telephone Co. (KEJ885), 6929–C2–MP–(2)–69.
New Jersey:
Mobile Telephone Co. of New Jersey (New), 118–C2–P–70.

RURAL RADIO SERVICE

193–C1–P/L–70—The Mountain States Telephone & Telegraph Co. (New), C.P. and license for a new fixed station to be located at Lee's Ferry, 4.7 miles northeast of Marble Canyon, Ariz., to operate on frequency 157.95 MHz.

250–C1–P–70—Nevada Telephone-Telegraph Co. (New), C.P. for a new fixed station to be located at Cloverdale Ranch, approximately 37 miles northwest of Tonopah, Nev., to operate on frequency 157.89 MHz.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

194–C1–P–70—Greenwood-United Telephone Co., Inc. (KIC29), C.P. to replace transmitters operating on frequencies 6219.5 and 6338.1 MHz toward Saluda, S.C. Station location: Saveall Street at Highway No. 22, Greenwood, S.C.

195–C1–P–70—Greenwood-United Telephone Co., Inc. (KJG36), C.P. to replace transmitters operating on frequencies 6026.8 and 6145.4 MHz toward Greenwood, S.C. Station location: West Butler and North Carolina Streets, Saluda, S.C.

196–C1–P–70—Southern Bell Telephone & Telegraph Co. (KIB70), C.P. to relocate fixed facilities to Cudjoe Key, approximately 5.2 miles northwest of Summerland Key Cove, Fla., operating on frequency 2178.4 MHz toward Sugarloaf Key, Fla.

197–C1–P–70—RCA Global Communications, Inc. (New), C.P. for a new fixed station to be located at ADA Plaza Center, Aspinal and West Saylor Streets, Agana (Guam), Marianna Islands. Frequency: 6645 MHz.

198–C1–P–70—RCA Global Communications, Inc. (New), C.P. for a new fixed station to be located at 2 miles northwest of Yona (Guam), Marianna Islands. Frequencies: 6605 and 6855 MHz.

199–C1–P–70—RCA Global Communications, Inc. New), C.P. for a new fixed station to be located at Finegayan, 9 miles northeast of Agana (Guam), Marianna Islands. Frequency: 6745 MHz.

218–C1–P–70—The Mountain States Telephone & Telegraph Co. (KPQ57), C.P. to add 2162.0 MHz toward Casper, Mountain, Wyo., and one transmitter for hot standby operations on same frequency. Station location: 103 North Durbin Street, Casper, Wyo.

219–C1–P–70—The Mountain States Telephone & Telegraph Co. (KPQ58), C.P. to add frequency 2112.0 MHz toward Casper, Wyo., and one transmitter for hot standby operation and add frequency 2118.4 MHz toward Shirley Basin, Wyo., via passive reflector for hot standby. Station location: 6 miles south-southwest of Casper, Wyo.

220–C1–P–70—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at the northwest corner of Second Avenue North and Atomic Boulevard North, Shirley Basin, Wyo.

Major Amendment—Correction

5964–C1–P–69—Lincoln Telephone & Telegraph Co. (KBC94), Correct frequencies to read from 6011.9 and 6130.5 MHz. All other particulars same as reported in public notice dated July 22, 1969, Report No. 449.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

6413–C1–ML–69—TelePrompter Transmission of New Mexico, Inc. (KKY43), Modification of license to provide, via audio subcarrier, the signals of station KOB–FM and KRST–FM of Albuquerque, N. Mex., to Farmington Cable TV in Farmington, N. Mex.

211–C1–P–70—New York Penn Microwave Corp. (KGO27), C.P. to add frequency 6241.7 MHz on azimuth 264°38′. Location: Elk Hill, 4.25 miles north of Dunaff, Pa., at lat. 41°42′54″ N., long. 75°33′42″ W.

212–C1–P–70—New York Penn Microwave Corp. (KGO28), C.P. to add frequency 6137.9 MHz on azimuth 323°01′. Location: Robwood Mountain, 7.5 miles south-southeast of Towanda, Pa., at lat. 41°39′07″ N., long. 76°24′42″ W.

213–C1–P–70—New York Penn Microwave Corp. (New), C.P. for a new station on Hawley Hill, 3 miles west-northwest of Elmira, N.Y., at lat. 42°06′20″ N., long. 76°52′17″ W. Frequency 6241.7 MHz on azimuth 109°53′. (Informative: Applicant proposes to provide the television signal of WABC–TV to WENY–TV in Elmira, N.Y.)

[F.R. Doc. 69–8930; Filed, July 29, 1969; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 21215; Order 69–7–99]

AIR TRANSPORT ASSOCIATION

Order Authorizing Discussions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of July 1969.

By letter dated July 18, 1969 (Docket 21215), the Air Transport Association, on behalf of certain member carriers, requests authority from the Board for all air carriers serving Kennedy, La Guardia, Newark, Washington National, and O'Hara airports to engage in joint discussions for the purpose of considering, subject to Board approval, an agreement to reduce schedules at such airports for the purpose of preventing undue air traffic congestion, said agreement to take effect in the event there is a reduction in the capacity of air traffic control systems by reason of current personnel problems.

Upon consideration of the matters set forth in the above application, the Board finds that the public interest warrants a grant of the requested air carrier discussions, subject to the restrictions set forth below. Our approval herein is only for the holding of discussions and any multicarrier agreements resulting from the discussions may not be implemented until they have been filed with and approved by the Board, pursuant to section 412 of the Act. The discussions shall be limited to problems which may arise at Kennedy, La Guardia, Newark, Washington National, and O'Hara airports as a result of a reduction in the capacity of air traffic control systems. An observer or observers from the Board shall be in attendance at all meetings held pursuant to this order, and minutes of such meetings shall be filed with the Board.

Accordingly, it is ordered:

1. That all United States air carriers providing scheduled services to and from Kennedy, La Guardia, Newark, Washington National, O'Hare airports be and they hereby are authorized to hold discussions concerning joint arrangements to reduce schedules at such airports to alleviate air traffic congestion problems arising as a result of reduced capacity of air traffic control systems, subject to the following conditions:

a. The Director of the Bureau of Operating Rights shall be given notice of all meetings.

b. An observer or observers from the Board may be in attendance at all meetings.

c. All agreements resulting from such discussions shall be filed with Board and shall not be implemented until approved by the Board.

d. Complete and accurate minutes shall be kept of all discussions, and a true

copy thereof shall be filed with the Board not later than 10 days after the conclusion of each meeting.

2. The authorization granted herein shall expire 60 days from the date of issuance of this order and this order may be earlier revoked or amended at any time at the discretion of the Board.

3. A copy of this order shall be served upon all the United States certificated carriers, the Federal Aviation Administration, the Department of Justice, the Department of Transportation, the Port of New York Authority, the Department of Aviation of the city of Chicago, the Professional Air Traffic Controllers Organization, the Air Traffic Controllers Association and the National Association of Government Employees.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 69-8950; Filed, July 29, 1969; 8:49 a.m.]

[Docket No. 19956]

TRANSPORTES AEREOS NACIONALES, S.A.

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled matter now to be resumed on July 30, 1969, is hereby postponed to September 11, 1969, at 10 a.m., d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., July 25, 1969.

[SEAL] EDWARD T. STODOLA, *Hearing Examiner.*

[F.R. Doc. 69-8959; Filed, July 29, 1969; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI70-17 etc.]

LAMAR HUNT ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JULY 18, 1969.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

[1] Does not consolidate for hearing or dispose of the several matters herein.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before September 3, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-17	Lamar Hunt, 1401 Elm St., Dallas, Tex. 75202.	1	12	El Paso Natural Gas Co. (Tubb Field, Lea County, N. Mex.) (Permian Basin Area).	$204	6-19-69	[2] 8-1-69	1-1-70	[3] [4] 16.8156	[3] [4] 17.8347	
	do	5	8	El Paso Natural Gas Co. (Blinebry Field, Lea County, N. Mex.) (Permian Basin Area).	204	6-19-69	[2] 8-1-69	1-1-70	[4] [5] 16.8156	[3] [4] 17.8347	
RI70-18	Texaco, Inc., Post Office Box 2100, Denver, Colo. 80201.	321	4	Kansas-Nebraska Natural Gas Co., Inc. (Alkali Butte Unit, Fremont County, Wyo.).	1,000	6-18-69	[2] 9-9-69	2-9-70	[7] 16.0	[8] 17.0	
RI70-19	Texas Oil & Gas Corp., 1001 Americana Bldg., Houston, Tex. 77002.	29	12	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.).	6,400	6-19-69	[2] 7-20-69	12-20-69	[9] 14.0 [9] 13.0	[3] [8] 15.0 [8] 14.0	RI64-517.
	do	31	2	do	1,400	6-19-69	[2] 7-20-69	12-20-69	13.0	[8] 15.0	
	do	32	7	El Paso Natural Gas Co. (Martinez Unit, La Plata County, Colo.).	480	6-19-69	[2] 7-20-69	12-20-69	[10] 14.0	[3] 15.0	
	do	33	6	do	260	6-19-69	[2] 7-20-69	12-20-69	14.0	[3] 15.0	RI64-726.
	do	36	5	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.).	750	6-19-69	[2] 7-20-69	12-20-69	[10] 14.0	[3] [8] 15.0	
	do	38	5	do	300	6-16-69	[2] 7-20-69	12-20-69	14.0	[8] 15.0	RI64-466.
	do	40	2	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	500	6-19-69	[2] 7-20-69	12-20-69	13.0	[8] 14.0	
RI70-20	N. B. Hunt, 1401 Elm St., Dallas, Tex. 75202.	1	12	El Paso Natural Gas Co. (Tubb Field, Lea County, N. Mex.) (Permian Basin Area).	490	6-20-69	[11] 8-1-69	1-1-70	[3] [4] 16.8156	[3] [4] 17.8347	
	do	9	8	El Paso Natural Gas Co. (Blinebry Field, Lea County, N. Mex.) (Permian Basin Area).	408	6-20-69	[11] 8-1-69	1-1-70	[3] [4] 16.8156	[3] [4] 17.8347	
RI70-21	W. H. Hunt, 1401 Elm St., Dallas, Tex. 75202.	1	12	El Paso Natural Gas Co. (Tubb Field, Lea County, N. Mex.) (Permian Basin Area).	204	6-20-69	[11] 8-1-69	1-1-70	[3] [4] 16.8156	[3] [4] 17.8347	
	do	6	8	El Paso Natural Gas Co. (Blinebry Field, Lea County, N. Mex.) (Permian Basin Area).	204	6-20-69	[11] 8-1-69	1-1-70	[3] [4] 16.8156	[3] [4] 17.8347	
RI70-22	Caroline Hunt Sands et al., 1401 Elm St., Dallas, Tex. 75202.	16	9	El Paso Natural Gas Co. and Pecos Co. (Amacker-Tippett Field, Upton County, Tex.) (RR. District No. 7C) (Permian Basin Area).	41	6-20-69	[11] 8-1-69	1-1-70	[12] 15.2025	[3] [4] 16.2160	
RI70-23	Secure Trusts, 1401 Elm St., Dallas, Tex. 75202.	3	11	do	10	6-20-69	[11] 8-1-69	1-1-70	[3] [13] 15.2025	[3] [4] [13] 16.2160	
	do	4	11	El Paso Natural Gas Co. (Amacker-Tippett Field, Upton County, Tex.) (RR. District No. 7C) (Permian Basin Area).	405 608	6-20-69	[11] 8-1-69	1-1-70	[3] [13] 16.7228 [3] [13] 15.2025	[3] [4] [13] 17.7363 [3] [4] 16.2160	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-24...	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020.	40	11	El Paso Natural Gas Co. (Tubb-Blinebry Field, Lea County, N. Mex.) (Permian Basin Area).	$1,012	6-19-69	[2] 9-14-69	2-14-70	[3] [4] 16.6318	[3] [5] 17.6398	
	do	108	10	El Paso Natural Gas Co. (Benton Plant, Lea County, N. Mex.) (Permian Basin Area).	347	6-19-69	[2] 9-15-69	2-15-70	[3] 18.1438	[3] [6] 19.1518	
	do	134	17	El Paso Natural Gas Co. (University Block 9, Andrews County, Tex.) (RR. District No. 8) (Permian Basin Area).	13,446	6-19-69	[2] 9-1-69	2-1-70	[3] [7] 13.5705	[3] [8] 14.662	
	do	142	15	El Paso Natural Gas Co. (Spraberry Trend Field, Reagan County, Tex.) (RR. District No. 7C) (Permian Basin Area).	231	6-19-69	[2] 9-15-69	2-15-70	[3] 18.243	[3] [6] 19.2565	
	do	251	[9] 12	Transwestern Pipeline Co. (Bell Lake Field, Lea County, N. Mex.) (Permian Basin Area).	7,014	6-19-69	[2] 9-18-69	2-18-70	[3] 18.0224	[3] [6] 20.4857	
	do	251	[9] 13	do	696	6-19-69	[2] 9-18-69	2-18-70	[3] 18.5724	[3] [6] 21.0957	
RI70-25...	Shell Oil Co. (Operator) et al.	41	23	El Paso Natural Gas Co. (Tubb-Blinebry et al. Fields, Lea County N. Mex.) (Permian Basin Area).	33,129	6-19-69	[2] 9-11-69	2-11-70	[3] 16.6318	[3] [6] 17.6398	
RI70-26...	Shell Oil Co (Operator)...	315	5	El Paso Natural Gas Co. (Northwest Ozone Field, Crockett County, Tex.) (RR. District No. 7C) (Permian Basin Area).	[10] 35,134 [11] 1,413	6-19-69	[2] 9-1-69	2-1-70	[3] 18.1566	[3] [6] 19.1653	

[2] The stated effective date is the effective date requested by Respondent.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.
[6] Rate suspended in Docket No. RI69-544 until July 23, 1969. Motion has been filed to make rate effective on that date.
[7] Previously reported as 16.419 cents at 15.025 p.s.i.a. Rate effective subject to Refund in Docket No. RI66-329.
[8] Pressure base is 15.025 p.s.i.a.
[9] Includes 1 cent minimum guarantee for liquids.
[10] Initial rate for acreage added by Supplement Nos. 10 and 11 for which the 1-cent minimum guarantee for liquids was waived.
[11] Two-step periodic rate increase.
[12] Rate effective subject to refund in Docket No. RI64-680 with the exception of acreage added by Supplement Nos. 4 and 5 for which Respondent is receiving a clean 14-cent rate.
[13] Rate effective subject to refund in Docket No. RI64-466 with the exception of acreage added by Supplement No. 3 for which Respondent is receiving a clean 14-cent rate.
[14] Contractual due date.
[15] Rate suspended in Docket No. RI69-550 until July 23, 1969. Respondent has filed motion to make rate effective on that date.
[16] Rate suspended in Docket No. RI69-548 until July 23, 1969. Respondent has filed motion to make rate effective on that date.
[17] Rate suspended in Docket No. RI69-553 until July 23, 1969. Respondent has filed motion to make rate effective on that date.
[18] Low pressure gas.
[19] Rate suspended in Docket No. RI69-556 until July 23, 1969. Respondent has filed motion to make rate effective on that date.
[20] High pressure gas.
[21] One day after suspended rate becomes effective subject to refund.
[22] Rate suspended in Docket No. RI69-664 until Sept. 13, 1969. Respondent has filed motion to make rate effective on that date.
[23] Rate suspended in Docket No. RI69-675 until Sept. 14, 1969. Respondent has filed motion to make rate effective on that date.
[24] Rate suspended in Docket No. RI69-641 until Aug. 31, 1969. Respondent has filed motion to make rate effective on that date.
[25] Rate suspended in Docket No. RI69-675 until Sept. 14, 1969. Respondent has filed motion to make rate effective on that date.
[26] Applicable to gas from Devonian Formation.
[27] Rate suspended in Docket No. RI69-710 until Sept. 17, 1969. Respondent has filed motion to make rate effective on that date.
[28] Applicable to gas from Pennsylvania Formation.
[29] Rate suspended in Docket No. RI69-642 until Sept 10, 1969. Respondent has filed motion to make rate effective on that date.
[30] Applicable to residue gas not derived from new gas-well gas.
[31] Rate suspended in Docket No. RI69-659 until Aug. 31, 1969. Respondent has filed notice to make rate effective on that date.
[32] Applicable to residue gas derived from new gas-well gas.

Shell Oil Co. (Shell) requests that its presently filed rate increases, if suspended, be suspended for only 1 day, or if longer, the suspension periods terminate on January 1, 1970. Good cause has not been shown for granting Shell's request for limiting to 1 day the suspension periods with respect to its rate filings, or that the suspension periods for such rate filings terminate on January 1, 1970, and Shell's request is denied.

The proposed rate increases filed by Lamar Hunt, N. B. Hunt, and W. H. Hunt (all referred to herein as Hunt) reflect partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, is expected to file protests to these rate increases. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While the buyer concedes that the New Mexico legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased rate in excess of 0.55 percent. In view of the contractual problem presented, we shall provide that the hearings herein with respect to the rate filings containing such tax shall concern themselves with the contractual basis for the rate filings, as well as the statutory lawfulness of the proposed increased rates and charges.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, § 2.56), with the exception of the rate increases filed by the producers in the Permian Basin Area which exceed the just and reasonable rates established by the Commission in Opinion No. 468, as amended, and should be suspended for 5 months as ordered herein.

[F.R. Doc. 69-8800; Filed, July 29, 1969; 8:45 a.m.]

[Dockets Nos. RI69-320—RI69-323]

GULF OIL CORP.

Order Accepting Decreased Rate Filings Subject to Refund in Existing Rate Suspension Proceedings

JULY 18, 1969.

Gulf Oil Corp., Docket No. RI69-320; Gulf Oil Corp. (Operator) et al., Docket No. RI69-321; Warren Petroleum Corp. (Operator), Docket No. RI69-322; Warren Petroleum Corp., Docket No. RI69-323.

Gulf Oil Corp. and Gulf Oil Corp. (Operator) et al. (Gulf), and its affiliate, Warren Petroleum Corp. (Operator) and Warren Petroleum Corp. (Warren) have filed amendments to existing suspended rate increases to reflect the placing into effect of lower rates than those presently suspended in the above-designated rate suspension proceedings. The rates in question are for sales of natural gas to El Paso Natural Gas Co. and Transwestern Pipeline Co. in the Permian Basin Area and were previously suspended by the Commission's order issued December 20, 1968, in the aforementioned dockets. The proposed rate decreases are set forth in Appendix A hereof. In motions filed concurrently with the amended rate changes, Gulf and Warren propose to place into effect the reduced rates on July 20, 1969.[1]

Gulf and Warren's proposed rate decreases exceed the applicable area rates prescribed in Opinion No. 468, as amended, as did the previously suspended rates in said dockets. In view of the above, we believe that it would be in

[1] Both Gulf and Warren have filed acceptable general undertakings as provided in Order No. 377.

the public interest to accept for filing Gulf and Warren's proposed rate decreases effective as of July 20, 1969, subject to refund in the existing rates suspension proceedings in Dockets Nos. RI69-320, RI69-321, RI69-322, and RI69-323.

The Commission finds: Good cause exists for accepting for filing Gulf and Warren's proposed rate decreases, as set forth in Appendix A hereof, effective as of July 20, 1969, subject to refund in the existing rate suspension proceedings in Dockets Nos. RI69-320, RI69-321, RI69-322, and RI69-323.

The Commission orders: The proposed rate decreases contained in Appendix A hereof are accepted for filing and permitted to become effective as of July 20, 1969, subject to refund in the existing rate suspension proceedings in Dockets Nos. RI69-320, RI69-321, RI69-322, and RI69-323.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-320..	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	194	[2] 1 to 11	Transwestern Pipeline Co. (Block 27, McKee Field, Crane County, Tex.) (RR. District No. 8).	$27,140	6-23-69	[3] 7-20-69		[4] 14.40	[5] [6] 16.40	
	do	197	[2] 1 to 15	Transwestern Pipeline Co. (Pucket Devonian Field, Pecos County, Tex.) (RR. District No. 8).	104,100	6-23-69	[3] 7-20-69		[4] 14.37	[5] [6] 16.37	
	do	213	[2] 1 to 8	Transwestern Pipeline Co. (Atoka Penn Gas Pool, Eddy County, N. Mex.).	7,800	6-23-69	[3] 7-20-69		[4] 14.72	[5] [6] 16.72	
	do	215	[2] 1 to 8	Transwestern Pipeline Co. (White City Penn Gas Pool, Eddy County, N. Mex.).	23,860	6-23-69	[3] 7-20-69		14.88	[5] [6] 16.88	
	do	342	[2] 1 to 11	Transwestern Pipeline Co. (Cramar and South Hemer Field, Crane, Pecos, and Ward Counties, Tex.) (RR. District No. 8).	1,168 79,720	6-23-69	[3] 7-20-69		[7] 16.40 [8] 14.51	[5] 18.00 [6] 16.51	
RI69-321..	Gulf Oil Corp. (Operator) et al.	192	[2] 1 to 12	Transwestern Pipeline Co. (Puckett-Ellenburger Field, Pecos County, Tex.) (RR. District No. 8).	700,000	6-23-69	[3] 7-20-69		[9] 8.79	[6] [10] 10.79	
	do	193	[2] 1 to 22	Transwestern Pipeline Co. (Waha and Worsham Fields, Reeves County, Tex.) (RR. District No. 8).	23,800 118,800	6-23-69	[3] 7-20-69		[9] [10] 14.50 [9] [11] 14.73	[6] [10] 16.50 [6] [10] 16.73	
RI69-322..	Warren Petroleum Corp. (Operator).	28	[2] 1 to 10	El Paso Natural Gas Co. (Monument Gasoline Plant, Lea County, N. Mex.).	680 396,000	6-23-69	[3] 7-20-69		[12] [13] 15.16 [12] [14] 13.02	[6] [13] 15.50 [6] [15] 15.02	
	do	30	[2] 1 to 11	El Paso Natural Gas Co. (Saunders Gasoline Plant, Lea County, N. Mex.).	2,150 180,000	6-23-69	[3] 7-20-69		[12] [14] 17.14 [12] [16] 14.92	[6] [13] 18.00 [6] [16] 16.92	
	do	43	[2] 1 to 15	El Paso Natural Gas Co. (Waddell Gasoline Plant, Crane County, Tex.) (RR. District No. 8).	1,239 641,237	6-23-69	[3] 7-20-69		[12] [13] 16.74 [12] [15] 14.71	[6] [13] 18.1164 [6] [16] 16.7070	
	do	44	[2] 1 to 8	El Paso Natural Gas Co. (Eunice Gasoline Plant, Lea County, N. Mex.).	40 317,140	6-23-69	[3] 7-20-69		[12] [14] 16.66 [12] [14] 14.51	[6] [13] 18.00 [6] [16] 16.51	
	do	50	[2] 1 to 6	Transwestern Pipeline Co. (Monument Gasoline Plant, Lea County, N. Mex.).	[18]	6-23-69	[3] 7-20-69		[14] 14.56	[6] [16] 16.56	
	do	54	[2] 1 to 6	El Paso Natural Gas Co. (Caliche Gasoline Plant, Lea County, N. Mex.).	30,000 400	6-23-69	[3] 7-20-69		[12] [14] 16.58 [12] [14] 14.79	[6] [13] 18.00 [6] [17] 16.79	
	do	56	[2] 1 to 10	El Paso Natural Gas Co. (Tatum Gasoline Plant, Lea County, N. Mex.).	1,988 19,400	6-23-69 6-23-69	[3] 7-20-69 [3] 7-20-69		[12] [14] 16.58 [12] [14] 14.44	[6] [13] 18.00 [6] [16] 16.44	
RI69-323..	Warren Petroleum Corp....	22	[2] 1 to 12	El Paso Natural Gas Co. (Slaughter Gasoline Plant, Hockley County, Tex.) (RR. District No. 8).	12,567	6-23-69	[3] 7-20-69		[17] 14.5	[6] 16.59	
	do	42	[2] 1 to 14	El Paso Natural Gas Co. (South Fullerton Gasoline Plant, Andrews County, Tex.) (RR. District No. 8).	316	6-23-69	[3] 7-20-69		[12] 15.19	[6] 17.09	
	do	45	[2] 1 to 8	El Paso Natural Gas Co. (Denton Gasoline Plant, Lea County, N. Mex.).	640	6-23-69	[3] 7-20-69		[18] 14.51	[6] 16.51	
	do	55	[2] 1 to 12	El Paso Natural Gas Co. (South Fullerton Gasoline Plant, Andrews County, Tex.) (RR. District No. 8).	245	6-23-69	[3] 7-20-69		[19] 15.19	[6] 17.09	

[2] Superseding rate change. Respondent proposes to put into effect a lower rate than now on file and has filed motion to do so.
[3] Date requested in motion to put rate into effect.
[4] "Fractured" rate increase. From applicable area rate to contractually provided rate.
[5] Pressure base is 14.65 p.s.i.a.
[6] Previously reported rate of 18 cents per Mcf suspended in Docket No. RI69-320 (suspension period expired on May 27, 1969).
[7] New gas-well gas.
[8] Old gas-well gas and/or casinghead gas.
[9] Previously reported rate of 14 cents per Mcf suspended in Docket No. RI69-321 (suspension period expired on May 27, 1969).
[10] Residue gas not derived from new gas-well gas.
[11] Old gas-well gas and or casinghead gas.
[12] Previously reported rate of 15.50 cents per Mcf suspended in Docket No. RI69-322 (suspension period expired on May 28, 1969).
[13] Residue gas derived from new gas-well gas.
[14] Previously reported rate of 18 cents per Mcf suspended in Docket No. RI69-322 (suspension period expired on May 28, 1969).
[15] Proposed increased rate of 18.1164 cents per Mcf was suspended in Docket No. RI69-322 until May 28, 1969.
[16] No gas available for delivery to Transwestern as of June 19, 1969.
[17] Previously reported rate of 18.1046 cents per Mcf suspended in Docket No. RI69-323 (suspension period expired on May 28, 1969).
[18] Previously reported rate 18.0997 cents per Mcf suspended in Docket No. RI69-323 (suspension period expired on May 28, 1969).
[19] Proposed increased rate of 18 cents per Mcf was suspended in Docket No. RI69-323 until May 28, 1969.
[20] Previously reported rate of 18.0997 cents per Mcf suspended in Docket No. RI69-323 (suspension period expired on May 28, 1969).

[F.R. Doc. 69-8801; Filed, July 29, 1969; 8:45 a.m.]

[Dockets Nos. CP67-340, CP69-75]

CITIES SERVICE GAS CO. AND CITY OF PLATTSBURG, MO.

Order Approving Settlement Agreement, Granting Severance of Application and Authorizing the Construction and Operation of Facilities

JULY 23, 1969.

On September 18, 1968, the city of Plattsburg, Mo. (Plattsburg), filed an application pursuant to section 7(a) of the Natural Gas Act in Docket No. CP69-75 requesting the Commission to issue an order directing Cities Service Gas Co. (Cities Service) to establish physical connection of its transmission facilities with the distribution system of the city of Plattsburg. Plattsburg requested that Cities Service be ordered to construct a 24-mile sales lateral from a point on Cities Service's lines serving St. Joseph, Mo., eastward to Plattsburg, Mo., pursuant to Cities Service's sales lateral line contribution provision that was in effect when Plattsburg's application was filed.

On October 21, 1968, Cities Service filed its answer stating that prior to the filing of the Plattsburg application, Cities Service, on August 28, 1968, had filed a new lateral line provision (Fourth Revised Sheet No. 37) in compliance with the Commission's Order 365. Such new provision, which became effective on October 1, 1968, states that Cities Service will not build or contribute to the cost of building any sales laterals to resale customers.

On September 27, 1968, the Commission suspended the effectiveness of the aforementioned tariff sheet until September 29, 1968, and until such further time as it would be made effective in the manner prescribed by the Natural Gas Act.[1] The Commission ordered that the lateral line provision should be consolidated for purposes of hearing with the pending proceeding in Cities Service Gas Co., Docket No. CP67-340 et al., and it further provided that Plattsburg could participate as an intervenor in the consolidated proceeding for the limited purposes of the lateral line policy issue.

By letter order dated January 31, 1969, the Commission deferred hearing on the Plattsburg application pending resolution of the question of Cities Service's lateral line provision in the consolidated proceeding.

On February 27, 1969, Plattsburg filed a petition for rehearing of the above letter order and moved for consolidation of its application with the proceedings in Docket No. CP67-340 et al., alleging that an emergency situation exists because Plattsburg does not expect to be able to meet its needs from its existing supplies for the 1969-70 winter heating season under normal or severe weather conditions. In view of the foregoing allegation, the Commission, on March 31, 1969, consolidated the Plattsburg application with the proceeding in Docket No. CP67-340 et al., stating that the lateral line and pipeline design issues between Plattsburg and Cities Service should be resolved as quickly as possible.

During the course of the formal hearings conducted in conjunction with the above-noted consolidation, Plattsburg and Cities Service began to explore means whereby it would be possible to expedite the Plattsburg application so that service could be rendered to Plattsburg in time for the 1969-70 winter heating season. It became necessary to undertake such measures when it became obvious that the final determination of the consolidated proceedings could not be effectuated until sometime subsequent to the later time period. Cities Service and Plattsburg were able to agree to the following Settlement Agreement and filed such agreement on May 26, 1969, in Docket No. CP69-75 in order to expedite the construction of facilities to Plattsburg:

1. Cities Service agrees to construct and operate approximately 6.44 miles of 6-inch pipeline extending from a point on Cities Service's main lines serving St. Joseph, Mo., eastward toward Plattsburg, Mo. Plattsburg will construct and operate interconnecting pipeline facilities from the terminus of the 6.44-mile line to the Plattsburg distribution system. Cities will install measuring and regulating facilities at a convenient point near the terminus of the 6.44 miles of 6-inch pipeline. Cities Service will schedule its construction to complete the 6.44 miles of pipeline at approximately the same time that Plattsburg completes its portion of the facilities.

2. The estimated cost of the aforementioned pipeline facilities to be constructed by Cities Service, excluding the measuring and regulating facilities, is $150,000. In the event the Commission should conclude in Docket No. CP67-340 et al., that Cities Service should not have constructed the 6.44 miles of pipeline under its lateral line provision, then within 30 days after a final Commission order so holding, Plattsburg will pay Cities Service $150,000, plus 6 percent interest from the date such line was completed to the date of payment by Plattsburg as a contribution in aid of construction. Cities Service will retain title to the above facilities which it will construct and, therefore, will not relocate the measuring and regulating facilities, except by mutual agreement.

3. Within 15 days after the Commission's order approving this settlement agreement, Plattsburg will enter into a sales contract with Cities Service Gas Co. to purchase its entire natural gas requirements from Cities Service.

4. It is expressly understood that Cities Service has entered into this agreement due to the emergency circumstances alleged by Plattsburg and that this agreement will be without prejudice to Cities Service's or Plattsburg's position in the lateral line issue in Docket No. CP67-340 et al.

5. This settlement agreement shall not become effective unless the Commission has issued an order which is final and nonappealable accepting and approving the settlement agreement without modification or exception authorizing Cities Service to construct and operate the aforementioned 6.44 miles of pipeline facilities to serve Plattsburg, Mo., and further providing that this settlement agreement and the Commission's order approving it shall be without prejudice to the position of Cities Service or any other party on the lateral line issue which is consolidated in this proceeding in Docket No. CP67-340 et al.

The maximum day third year requirements for the city of Plattsburg are reflected in its application as being 1,075 Mcf per day. The maximum annual third year requirements for the city of Plattsburg are reflected in its application as being 140,000 Mcf. The Commission will, therefore, order that Cities Service interconnect its facilities with those of the city of Plattsburg, consistent with the other provision of this order, and to sell to the city of Plattsburg sufficient natural gas to enable it to meet its entire natural gas requirements.

The Commission is of the opinion that the settlement agreement offers an appropriate means to resolve the difficulties that have arisen with respect to the rendition of service to the city of Plattsburg during the course of the 1969-70 winter heating season.

The Commission finds:

(1) That the aforementioned settlement agreement between Cities Service Gas Co. and the city of Plattsburg is consistent with the public convenience and necessity.

(2) That the public convenience and necessity requires that the aforementioned settlement agreement and this order of the Commission approving it shall be without prejudice to the position of the Cities Service Gas Co. or any other party on the lateral line issue which is consolidated in these proceedings in Docket No. CP67-340, et al.

(3) That the public convenience and necessity requires that Cities Service Gas Co. be required to construct and operate the 6.44 miles of 6-inch pipe with appurtenant facilities to the point of connection specified in the settlement agreement with the facilities of the city of Plattsburg.

(4) That the public convenience and necessity requires that the Commission order Cities Service Gas Co. to sell and deliver to the city of Plattsburg its entire natural gas requirements.

(5) That the public convenience and necessity requires that the Commission sever the application of the city of Plattsburg in Docket No. CP69-75 from the proceedings in Docket No. CP67-340, et al., in accordance with the terms of the aforementioned settlement agreement filed on May 26, 1969.

The Commission orders:

(A) The settlement agreement between Cities Service Gas Co. and the city of

[1] As stated above, the new lateral line provision was permitted to become effective on Oct. 1, 1968, pursuant to Cities Service's motion.

Plattsburg, as set forth in this order, is approved by the Commission.

(B) The aforementioned settlement agreement and this order of the Commission approving it shall be without prejudice to the position of Cities Service Gas Co. or any other party on the lateral line issue which is consolidated in these proceedings in Docket No. CP67–340 et al.

(C) Cities Service Gas Co. is ordered to construct and operate 6.44 miles of 6-inch pipeline with appurtenant facilities, as described in the aforementioned settlement agreement, and to interconnect these facilities with the facilities of the city of Plattsburg in order to render natural gas service to the latter.

(D) Cities Service Gas Co. is ordered to sell and deliver to the city of Plattsburg its entire natural gas requirements.

(E) The application of the city of Plattsburg in CP69–75 is severed from the consolidated proceedings entitled Cities Service Gas Co. in Docket No. CP67–340 et al. with the exception of the ultimate disposition of the lateral payment issue.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-8904; Filed, July 29, 1969; 8:45 a.m.]

[Docket No. RP70-2]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Proposed Changes in Rates and Charges

JULY 23, 1969.

Take notice that Consolidated Gas Supply Corp. (Consolidated) on July 16, 1969, tendered for filing proposed changes in its FPC Gas Tariff, Original Volumes Nos. 1 and 2,[1] to become effective on August 31, 1969. The proposed rate changes would increase Consolidated's charges above those now in effect subject to refund in Docket No. RP69–19 by $11,512,934 for jurisdictional sales and by $793,557 for jurisdictional storage services, making a total annual increase of $12,306,491, based on volumes for the 12-month period ended March 31, 1969, as adjusted.

Consolidated states that its rate filing was required because of the incurrence of substantial increases in costs which were not included in its prior rate filing in Docket No. RP69–19. The increased costs cited by Consolidated are related to: (1) Wages and salaries, (2) materials and supplies, (3) local taxes, (4) purchased gas, and (5) cost of capital, producing an alleged need for a rate of return of 8.5 percent.

Consolidated specifically notes that $2,800,000 of its proposed increase results from the rate increase filed on June 27, 1969 by one of its suppliers, Texas Gas Transmission Corp., in Docket No. RP69–41. Consolidated requests that if its proposed rate changes are not permitted to become effective until after the time that the rates proposed by Texas Gas in Docket No. RP69–41 might go into effect, that the Commission allow Consolidated to file substitute revised tariff sheets to track the Texas Gas increase from the date that increase becomes effective.

Consolidated also proposed to add a purchased-gas adjustment provision to its tariff. The adjustment provision is not included in Consolidated's filing as a formal tariff change. However, Consolidated states that it will present testimony and argument in this proceeding in support of its request that it be allowed to include a purchased-gas adjustment provision in its tariff.

Copies of Consolidated's filing were served on its customers and interested State commissions.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 11, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-8903; Filed, July 29, 1969; 8:45 a.m.]

[Docket No. CP70-11]

EL PASO NATURAL GAS CO.

Notice of Application

JULY 23, 1969.

Take notice that on July 15, 1969, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP70–11 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain lateral loopline facilities on its Northwest Division System necessary to provide additional quantities of gas to existing customers in established market areas; namely, Washington Natural Gas Co. (Washington) for resale and distribution in the South Seattle area, Cascade Natural Gas Co. (Cascade) and the city of Ellensburg, Washington (Ellensburg) for resale and distribution in areas served by such distributors, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The facilities for which authorization is sought consist of approximately 1.9 miles of 16-inch O.D. pipeline which will loop the terminal segment of El Paso's 10¾-inch O.D. South Seattle lateral, and approximately 13 miles of 12¾-inch O.D. pipeline which will loop the initial segment of Applicant's 10¾-inch O.D. Wenatchee lateral. The total estimated cost of the project proposed is $1,249,922. Applicant proposes to finance such cost initially through the use of working funds supplemented as necessary by short-term borrowings.

Applicant states that the proposed increase in facilities is designed to meet the rising anticipated peak day and hour requirements of the 1969–70, 1970–71, 1971–72 heating seasons.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 18, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-8905; Filed, July 29, 1969; 8:45 a.m.]

[Docket No. CP70-6]

LAWRENCEBURG GAS TRANSMISSION CORP.

Notice of Application

JULY 22, 1969.

Take notice that on July 14, 1969, Lawrenceburg Gas Transmission Corp.

[1] Second Revised Sheet No. 8–B; Third Revised Sheets Nos. 6, 9, 12–D, 13, 14, 16, 17, 19, 22, 24, 27, 35, and 36; and Fifth Revised Sheet No. 12 to its FPC GAS Tariff, Original Volume No. 1; and Second Revised Sheets Nos. 271 and 272 to its FPC Gas Tariff, Original Volume No. 2.

(Applicant), Post Office Box 960, Cincinnatti, Ohio 45201, filed in Docket No. CP70-6 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an increase of daily delivery volume to Lawrenceburg Gas Co., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to increase the daily delivery 500 Mcf per day, making the maximum daily delivery volume 12,530 Mcf. A portion of the increase will be delivered by Texas Gas Transmission Co. directly to the facilities of Lawrenceburg Gas Co. at the Rising Sun Sales Station and Bright Sales Station, and the rest will be delivered by Texas Gas Transmission Co. to the facilities of Applicant at Regulator Stations No. 1 and No. 2 for redelivery to Lawrenceburg Gas Co. The proposed increase is desired by Applicant to become effective on November 1, 1969, to coincide with a corresponding increase in delivery from Texas Gas Transmission Corp. to Applicant effective that date. The proposal is to increase volumes to meet present system load growth, but no change in facilities is required, and therefore no need of consequent financing.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 15, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-8906; Filed, July 29, 1969; 8:45 a.m.]

[Docket No. RI70-29]

MOBIL OIL CORP.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

JULY 22, 1969.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly §§ 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.[1]

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before September 5, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[1] If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

APPENDIX A

Docket No.	Respondent	Rate Schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-29	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	354	18	Montana-Dakota Utilities Co. (Worland Field, Washakie County, Wyo.).	$549	6-23-69	[2] 7-24-69	[3] 7-25-69	[4] 14.641	[4] [5] 14.714	RI69-202.

[2] The stated effective date is the effective date requested by Respondent.
[3] The suspension period is limited to 1 day.
[4] Tax Reimbursement increase.
[5] Pressure base is 15.025 p.s.i.a.
[6] Subject to a compression charge by buyer of 0.2 cent for each 25 pounds or fraction thereof below 200 p.s.i.g.

Mobil Oil Corp. (Mobil) has filed a proposed increase from 14.641 cents to 14.714 cents per Mcf amounting to $549 annually for a sale of gas to Montana-Dakota Utilities Co. in Wyoming. The increase reflects reimbursement to Mobil of 50 percent of a Severance Tax enacted by the State of Wyoming and adopted in February 1969. The tax amounts to a net of 1 percent of the value of the gas produced in the preceding year and is payable once a year. Mobil's proposed rate exceeds the area increased rate ceiling of 13 cents per Mcf for Wyoming as announced in the Commission's statement of general policy No. 61-1, as amended (18 CFR, chapter I, Part 2, § 2.56). Consistent with prior Commission action on tax reimbursement increases that exceed the increased ceiling rate, Mobil's proposed increased rate is suspended for 1 day from July 24, 1969, the proposed effective date.

[F.R. Doc. 69-8900; Filed, July 29, 1969; 8:45 a.m.]

[Docket No. G-17371]

MONTANA POWER CO.

Notice of Petition To Amend

JULY 23, 1969.

Take notice that on July 14, 1969, Montana Power Co. (Petitioner), 40 East Broadway, Butte, Mont. 59701, filed in Docket No. G-17371 a petition to amend the order issued in the instant proceeding on August 5, 1960, by requesting authorization under section 3 of the Natural Gas Act to increase the volumes of natural gas imported from Canada, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the additional volumes of natural gas are needed to enable Applicant to continue to meet the requirements of its customers.

Applicant has previously constructed and is now operating and maintaining the facilities necessary for the importation of natural gas pursuant to a Presidential Permit issued September 19, 1960, in Docket No. G-17370. Applicant proposes herein to import natural gas at an average rate of 10,000 Mcf per day commencing November 1, 1970, in addition to the average daily rate of 70,000 Mcf it is presently authorized to import under said orders in Docket No. G-17371. Applicant further states that no new facilities will be required.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 18, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-8907; Filed, July 29, 1969; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4773]

GEORGIA POWER CO.

Notice of Proposed Issue and Sale of Commercial Paper Notes and Notes to Banks and Request for Exception From Competitive Bidding

JULY 24, 1969.

Notice is hereby given that Georgia Power Co. ("Georgia"), 270 Peachtree Street, Atlanta, Ga. 30303, an electric utility subsidiary company of The Southern Co., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Georgia requests that from the effective date of the Commission's order herein to December 31, 1970, the exemption from the provisions of section 6(a) of the Act afforded by the first sentence of section 6(b) of the Act, relating to the issue of short-term notes, be increased from 5 percent of the principal amount and value of the other securities of Georgia at the time outstanding to approximately 10 percent thereof. Such increase will permit Georgia to issue the maximum aggregate principal amount of short-term notes permissible under its charter (without a vote of holders of its outstanding preferred stock). As at June 30, 1969, this amount was approximately $100 million, and such amount represents the maximum amount of notes presently to be authorized herein. Changes may be made in the maximum amount of notes to be outstanding and in the amounts to be borrowed from the various banks by the filing of a post-effective amendment and a further order of the Commission. Under the proposed exemption pursuant to section 6(b), Georgia proposes to issue and sell short-term notes to a group of banks and to issue and sell commercial paper from time to time prior to December 31, 1970, which together shall not exceed $100 million in aggregate principal amount at any one time outstanding, including currently outstanding bank loans and commercial paper aggregating $74,344,000 in principal amount which were issued pursuant to prior authorization of the Commission (Holding Company Act Release No. 16362 (May 5, 1969)).

The proposed notes to banks will be dated the date of the borrowing, will mature not more than 9 months after the date of issue, and will not exceed $68,944,000 outstanding at any one time. The group of banks to which notes are to be issued consists of four New York City banks (maximum of $36,725,000 to be borrowed) and 245 Georgia banks (maximum of $32,219,000 to be borrowed). Each bank note will bear interest at the prime rate in effect at the lending bank on the date of the borrowing, except that notes to The Chase Manhattan Bank (National Association) will bear interest at the rate in effect from time to time at that bank. Georgia may prepay the notes, in whole or in part, without penalty or premium.

The proposed commercial paper will be in the form of promissory notes with varying maturities not to exceed 270 days, will be issued in denominations of not less than $50,000 and not more than $5 million, and will not be prepayable prior to maturity. The commercial paper will be sold by Georgia directly to Goldman, Sachs & Co. at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for prime commercial paper of comparable quality of the particular maturity sold by issuers thereof to commercial paper dealers: *Provided, however,* That no commercial paper notes will be issued having a maturity more than 90 days at an effective interest cost which exceeds the effective interest cost at which the applicant company could borrow from banks. No commission or fee will be payable in connection with the issuance and sale of commercial paper. The dealer, as principal, will reoffer the commercial paper at a discount rate of one-eight of 1 percent per annum less than the prevaling discount rate to Georgia to not more than 100 customers of the dealer identified and designated in a nonpublic list prepared in advance by the dealer.

The proceeds from the notes and commercial paper will be used by Georgia to reimburse its treasury for part of the expenditures in connection with its construction program, to finance in part its future construction program, to pay at maturity from time to time outstanding notes and commercial paper, and for other lawful purposes. The total estimated construction expenditures of Georgia for 1969 and 1970 are $180,200,000 and $210,793,000, respectively. The application indicates that Georgia plans to use the proceeds of long-term financing scheduled for 1969 to reduce the amount of short-term notes outstanding; however, the amount of notes authorized herein will not be reduced by the amount of any long-term financing.

Georgia asserts that the issue and sale of commercial paper should be excepted from the competitive bidding requirements of Rule 50 because the

commercial paper will have a maturity not in excess of 270 days, current rates for commercial paper for prime borrowers such as Georgia are published daily in financial publications, and it is not practical to invite invitations for bids for commercal paper. Georgia also requests authority to file certificates of notification under Rule 24 in respect of its commercial paper on a quarterly basis.

Georgia's fees and expenses to be incurred in connection with the proposed transactions are estimated at $1,550, including legal fees of $1,200. The application states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than August 15, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-8909; Filed, July 29, 1969; 8:46 a.m.]

[70-4770]

GEORGIA POWER CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds and Preferred Stock at Competitive Bidding

JULY 24, 1969.

Notice is hereby given that Georgia Power Co. ("Georgia"), 270 Peachtree Street, Atlanta, Ga. 30303, an electric utility subsidiary company of The Southern Co., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Georgia proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $65 million principal amount of First Mortgage Bonds, ____ percent Series. The bonds will be dated as of the second day of the calendar month within which they are issued and will bear a single maturity date within the range of 5 to 30 years, such date to be determined not less than 72 hours prior to the opening of the bids. The interest rate (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Georgia (which will be not less than 99 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under the provisions of the Indenture dated as of March 1, 1941, between Georgia and Chemical Bank, as Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated September 1, 1969. The Supplemental Indenture will include a prohibition against redemption until September 1, 1974, if such redemption is for the purpose of refunding the bonds with funds borrowed at lower interest costs.

Georgia also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 150,000 shares of its authorized but unissued ____ percent Preferred Stock without par value. The dividend rate (which will be a multiple of 0.04 percent) and the price to be paid to Georgia (which will be not less than $100 nor more than $102.75 per share) will be determined by the competitive bidding.

The net proceeds received from the issue and sale of the bonds and preferred stock together with excess cash on hand and the proceeds from the sale of 305,000 additional shares of common stock to its parent company already approved by this Commission (Holding Company Act Release No. 16285), will be used by Georgia (1) to finance its 1969 construction program estimated at $180 million, (2) to pay outstanding short-term bank notes and commercial paper notes incurred for construction purposes, and (3) for other corporate purposes.

It is stated that the Georgia Public Service Commission has authorized the proposed issue and sale of the bonds and preferred stock by Georgia, and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be incurred in connection with the transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than August 12, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Comission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-8910; Filed, July 29, 1969; 8:46 a.m.]

[70-4774]

POTOMAC EDISON CO.

Notice of Proposed Increase in Short-Term Note Borrowing and Request for Exception From Competitive Bidding

JULY 24, 1969.

Notice is hereby given that Potomac Edison Co. ("Potomac"), Downsville Pike, Hagerstown, Md. 21740, a registered holding company and an electric utility subsidiary company of Allegheny Power System, Inc., also a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Potomac requests that from the date of the granting of this application to July 31, 1971, the exemption from the provisions of section 6(a) of the Act afforded to it by the first sentence of section 6(b) of the Act, relating to the issue of short-term notes, be increased to the extent necessary to cover the issue and sale of notes to banks and to dealers in commercial paper up to the maximum amount allowable under Potomac's charter without preferred stockholder consent, which, as of April 30, 1969, amounted to $20,940,000. Potomac proposes, under the proposed exemption, to

issue and sell and to renew or extend from time to time its short-term notes to banks and to dealers in commercial paper prior to July 31, 1971: *Provided*, That none of such notes shall mature later than December 31, 1971 and: *Provided, further*, That $20,940,000 represents the maximum amount of notes to be outstanding at any one time. Changes may be made in the maximum amount of notes to be outstanding upon the filing of a post-effective amendment and additional authorization by the Commission. The proceeds from the sale of the notes will be used by Potomac to reimburse its treasury for past expenditures made in connection with its construction program and that of its subsidiary companies; to pay in part the cost of such future construction; and for other corporate purposes. Construction expenditures of Potomac and its subsidiary companies for the years 1969, 1970, and 1971 are estimated to total $143 million. The application states that, unless otherwise authorized by the Commission, any of Potomac's short-term debt outstanding after July 31, 1971, will be retired from internal cash resources, permanent debt or equity financing, or cash capital contributions.

Each note payable to a bank will be dated as of the date of issue and will mature not more than 270 days after the date of issue or renewal thereof. Each such note will bear interest at the prime rate of commercial banks at the time of issue and will be prepayable at any time without premium or penalty. Although no commitment or agreement for any of the proposed borrowings has been made, Potomac expects that borrowings will be effected from The First National City Bank of New York and The Chemical Bank, also of New York City and that the maximum to be borrowed and outstanding at any one time from such banks will be $20 million and $15 million, respectively.

The commercial paper notes will be in the form of promissory notes in denominations of not less than $50,000 nor more than $5 million and will be of varying maturities with no maturity more than 270 days after the date of issue. None will be prepayable prior to maturity. The commercial paper notes will be sold directly to a dealer at a discount not in excess of the discount rate per annum prevailing at the time of issue for commercial paper of comparable quality and of the particular maturity sold by issuers to dealers in commercial paper. The dealer may reoffer the commercial paper at a discount rate of one-eighth of 1 percent per annum less than the discount rate then available to Potomac. No commercial paper notes will be issued having a maturity of more than 90 days at an effective interest cost which exceeds the effective interest cost at which Potomac could borrow from banks. The dealer will reoffer the commercial paper notes to not more than 100 of its customers identified and designated in a list (nonpublic) prepared in advance. It is expected that the commercial paper notes will be held by the dealer's customers to maturity, but if the customers wish to resell prior to maturity, the dealer, pursuant to a verbal repurchase agreement, will repurchase the notes and reoffer them to others in its group of 100 customers.

Potomac requests an exception from the competitive bidding requirements of Rule 50 for the proposed issue and sale of its commercial paper pursuant to paragraph (a)(5) thereof. Potomac states that it is not practicable to invite competitive bids for commercial paper and that current rates for commercial paper of prime borrowers such as Potomac are published daily in financial publications. Potomac also requests authority to file certificates under Rule 24 with respect to the issue and sale of commercial paper hereafter consummated pursuant to this application on a quarterly basis.

The application states that fees and expenses related to the proposed transactions are estimated not to exceed $400 and that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than August 15, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-8911; Filed, July 29, 1969; 8:46 a.m.]

[811-1786]

ACTIVE RESOURCES CORP.

Notice of Filing of Application for Order of the Act Declaring That Company Has Ceased To Be an Investment Company

JULY 24, 1969.

Notice is hereby given that the Active Resources Corp. ("Active") 29 Broadway, New York, N.Y., a New York corporation registered as a closed-end nondiversified investment under The Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Active has ceased to be an investment company as defined in the Act. All interested persons are referred to the applications on file with the Commission for statements of the representations set forth therein which are summarized below.

The outstanding securities (other than short-term paper) of Active are beneficially owned by 21 persons. None of such beneficial owners is a company. Prior to June 18, 1969, Active proposed to make a public offering of its common stock. Active filed a registration statement on Form S-4 under the Securities Act of 1933 seeking registration of 125,000 shares of its common stock. On June 18, 1969, the Board of Directors of Active concluded that the proposed public offering was not feasible and resolved that Active does not presently propose to make a public offering of its securities and that the registration statement on Form S-4 be withdrawn. The Commission granted the request for withdrawal of the registration statement on Form S-4 on July 7, 1969.

Section 3(c)(1) of the Act states, inter alia, that any issuer whose outstanding securities (other than short-term paper) are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities is not an investment company within the meaning of the Act.

Section 8(f) of the Act states, inter alia, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than August 15, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Active at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said applications, unless an order for hearing upon said application

shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-8912; Filed, July 29, 1969; 8:46 a.m.]

[812-2547]

STATE STREET INVESTMENT CORP.

Notice of Filing of Application for an Order Exempting From Section 22(d) a Sale by an Open-End Company of Its Securities at Other Than the Public Offering Price

JULY 24, 1969.

Notice is hereby given that State Street Investment Corp. ("Applicant"), 225 Franklin Street, Boston, Mass. 02110, a Massachusetts corporation registered under the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq. ("Act"), as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act a transaction in which Applicant's redeemable securities will be issued at a price other than the current public offering price in exchange for substantially all the assets of Rozier, Inc. ("Rozier"). All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Rozier, a Missouri corporation, is a personal holding company all of whose outstanding stock is owned by seven stockholders and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Applicant and Rozier, assets owned by Rozier with a value of approximately $1,623,000 on April 30, 1969, will be transferred to Applicant in exchange for shares of Applicant's stock.

The number of shares of Applicant to be issued to Rozier is to be determined by dividing the aggregate market value of the assets of Rozier (subject to certain adjustments set forth in the application) to be transferred to Applicant by the net asset value per share of Applicant (as defined in the agreement), both to be determined as of the valuation time. If the valuation in the agreement had taken place on April 30, 1969, Rozier would have received approximately 29,708 shares of Applicant's stock.

When received by Rozier, the shares of Applicant are to be distributed to the Rozier shareholders on the liquidation of Rozier. Applicant has been advised by the management of Rozier that the stockholders of Rozier do not have any present intention of distributing the shares of Applicant to be received on such liquidation following the sale of assets transaction or of redeeming any substantial number thereof. Applicant does presently intend to sell a portion of the securities acquired from Rozier subsequent to their acquisition as set out in the application.

Applicant represents that no affiliation exists between Rozier, or any director or stockholder thereof, and Applicant; and that the agreement was negotiated at arm's-length by the principals of both corporations.

Section 22(d) of the Act provides that registered open-end investment companies may sell their shares only at the current public offering price as described in the prospectus. Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than section 22(d) and submits that the granting of the application would be in accordance with established practice of the Commission, is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 12, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-8913; Filed, July 29, 1969; 8:46 a.m.]

[File No. 24C-2748]

SERVANCE CORP.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JULY 23, 1969.

I. Servance Corp. (issuer) 10436 College Avenue, Indianapolis, Ind., an Indiana corporation, incorporated February 17, 1966, with its principal office at 10436 College Avenue, Indianapolis, Ind., filed with the Commission on March 1, 1966, a notification on Form 1-A and an offering circular relating to an offering of 29,000 shares of no par value common capital stock at $10 per share for an aggregate offering price of $290,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in the following respect:

The provisions of Rule 260, adopted pursuant to section 3(b) of the Securities Act of 1933, as amended, have not been complied with in that no Report of Sales on Form 2-A has been made since December 12, 1966, although repeated notice was given the issuer, its attorney, its officers, directors, and promoters.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of the issuer under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested, and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless, or until, it is modified or vacated by the Commission; and that notice of the time and place for such

hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-8914; Filed, July 29, 1969; 8:46 a.m.]

UNITED AUSTRALIAN OIL, INC.

Order Suspending Trading

JULY 24, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of United Australian Oil, Inc., Dallas, Tex., and all other securities of United Australian Oil, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 25, 1969, through August 3, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-8915; Filed, July 29, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FLOYD A. MECHLING

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (22 F.R. 996; 22 F.R. 6584; 23 F.R. 1062; 23 F.R. 6730; 24 F.R. 552; 24 F.R. 6251; 24 F.R. 9699; 25 F.R. 109; 26 F.R. 1693; 26 F.R. 6463; 27 F.R. 684; 27 F.R. 6409; 28 F.R. 1093; 28 F.R. 7060; 29 F.R. 1861; 29 F.R. 9813; 30 F.R. 769; 30 F.R. 8765; 31 F.R. 493; 31 F.R. 9432; 32 F.R. 769; 32 F.R. 10277; 33 F.R. 523; 33 F.R. 10545; and 34 F.R. 1346) for the period ended July 25, 1969.

No changes to report.

Dated: July 21, 1969.

F. A. MECHLING.

[F.R. Doc. 69-8934; Filed, July 29, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction No. 59; Amdt. 1]

SEABOARD COAST LINE RAILROAD CO. ET AL.

Car Distribution

Upon further consideration of Car Distribution Direction No. 59, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 59 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., August 10, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., July 27, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 24, 1969.

INTERSTATE COMMERCE COMMISSION, R. D. PFAHLER, *Agent.*

[F.R. Doc. 69-8935; Filed, July 29, 1969; 8:48 a.m.]

[S.O. 1002; Car Distribution Direction No. 58; Amdt. 2]

SOUTHERN RAILWAY CO. AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 58, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 58 be, and it is hereby amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., August 10, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., July 27, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 24, 1996.

INTERSTATE COMMERCE COMMISSION, [SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 69-8936; Filed, July 29, 1969; 8:48 a.m.]

[S.O. 994; ICC Order No. 31-A]

CHICAGO AND NORTH WESTERN RAILWAY CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 31 (Chicago and North Western Railway Co.) and good cause appearing therefor:

It is ordered, That:

(a) ICC Order No. 31 be, and it is hereby, vacated and set aside.

(b) *Effective date.* This order shall become effective at 1 p.m., July 24, 1969.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 24, 1969.

INTERSTATE COMMERCE COMMISSION, [SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 69-8937; Filed, July 29, 1969; 8:48 a.m.]

[Notice 561]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 25, 1969.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 1042.1 (c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 C.F.R. 1042.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 30899 (Deviation No. 1), JOHNSON MOTOR LINES CORPORATION, 2426 North Graham Street, Post Office Box 10877, Charlotte, N.C. 28201, filed July 17, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between New York, N.Y., and Albany, N.Y., over Interstate Highway 87, for operating convenience

only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: Between New York, N.Y., and Albany, N.Y., over U.S. Highway 9.

No. MC 30899 (Deviation No. 2), JOHNSON MOTOR LINES CORPORATION, 2426 North Graham Street, Post Office Box 10377, Charlotte, N.C. 28201, filed July 17, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Buffalo, N.Y., over Interstate Highway 90 to junction U.S. Highway 20 at or near State Line, Pa., and return over the same route, for operation convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Painted Post, N.Y., over New York Highway 17 to Jamestown, N.Y., thence over New York Highway 60 to Fredonia, N.Y., thence over U.S. Highway 20 to Erie, Pa., and (2) from Buffalo, N.Y., over New York Highway 5 to Dunkirk, N.Y., thence over New York Highway 60 to Fredonia, N.Y., and returned over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 526), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed July 17, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S. Highway 13 and U.S. Highway (Business Route) B.R. 13 over U.S. Highway 13, bypassing Cheriton, Va., to junction U.S. B.R. Highway 13; (2) from junction U.S. Highway 13 and U.S. Highway (Business Route) B.R. 13 over U.S. Highway 13 bypassing Eastville, Va., to junction U.S. Highway B.R. 13; (3) from junction U.S. Highway 13 and U.S. Highway (Business Route) B.R. 13 over U.S. Highway 13 bypassing Exmore, Va., to junction U.S. B.R. Highway 13; (4) from junction U.S. Highway 13 and U.S. Highway (Business Route) B.R. 13 over U.S. Highway 13 bypassing Olney, Va., to junction U.S. B.R. Highway 13; and (5) from junction U.S. Highway 13 and U.S. Highway (Business Route) B.R. 13 over U.S. Highway 13 bypassing Accomac, Va., to junction U.S. B.R. Highway 13, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and same property, over a pertinent service route as follows: From Norfolk, Va., over U.S. Highway 460 to junction U.S. Highway 13, thence over U.S. Highway 13 to Little Creek, Va., thence over the Chesapeake Bay Bridge-Tunnel to Kiptopeke Beach, Va., thence over U.S. Highway 13 to Bayview, Va., thence over Virginia Highway 184 to Cape Charles, Va., thence return over Virginia Highway 184 to Bayview, Va., thence over U.S. Highway 13 to junction U.S. Highway (Business Route) B.R. 13 (formerly U.S. Highway 13), thence over U.S. B.R. Highway 13 via Cheriton, Va., to junction U.S. Highway 13, thence over U.S. Highway 13 to junction U.S. B.R. Highway 13 (formerly U.S. Highway 13), thence over U.S. B.R. Highway 13 via Eastville, Va., to junction U.S. Highway 13, thence over U.S. Highway 13 to junction U.S. B.R. Highway 13 (formerly U.S. Highway 13) via Exmore, Va., to junction U.S. Highway 13, thence over U.S. Highway 13 to junction U.S. B.R. Highway 13 (formerly U.S. Highway 13), thence over U.S. B.R. Highway 13 via Olney, Va., to junction U.S. Highway 13, thence over U.S. Highway 13 to junction U.S. B.R. Highway 13 (formerly U.S. Highway 13), thence over U.S. B.R. Highway 13 via Accomac, Va., to junction U.S. Highway 13, thence over U.S. Highway 13 to the Virginia-Maryland State line, and return over the same route.

No. MC 2866 (Deviation No. 10), EDWARDS MOTOR TRANSIT COMPANY, 56 East Third Street, Williamsport, Pa. 17701, filed July 16, 1969. Carrier's representative: Robert H. Griswold, 100 Pine Street, Post Office Box 1166, Harrisburg, Pa. 17108. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 22 and Pennsylvania Highway 286 (formerly Pennsylvania Highway 80) over U.S. Highway 22 to junction U.S. Highway 119, thence over U.S. Highway 119 to Indiana, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From junction U.S. Highway 22 and Pennsylvania Highway 286 (formerly Pennsylvania Highway 80) over Pennsylvania Highway 286 to junction Pennsylvania Highway 380, thence over Pennsylvania Highway 380 to junction Pennsylvania Highway 66, thence over Pennsylvania Highway 66 (portion formerly unnumbered) to junction Pennsylvania Highway 56, thence over Pennsylvania Highway 56 to Shady Plain, Pa., thence over Pennsylvania Highway 156 to Shelocta, Pa., thence over U.S. Highway 422 to Indiana, Pa., and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-8938; Filed, July 29, 1969; 8:48 a.m.]

[Notice 1316]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 25, 1969.

The following publications are governed by the new Special Rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 127774 (Sub-No. 1) (Republication), filed November 7, 1968, published in the FEDERAL REGISTER issue of November 28, 1968, and republished this issue. Applicant: HAINES TRANSPORT, INC., Post Office Box 207, Greenfield, Iowa 50849. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. By application filed November 7, 1968, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of anhydrous ammonia; (a) from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, and Oklahoma; (b) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska; (c) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming; and (d) from the terminals located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to traffic originating at the named origin points and destined to the named destination States.

By order dated February 7, 1969, and served February 13, 1969, it was ordered that this proceeding be handled under modified procedure. A report of the Commission, Review Board No. 1, decided July 7, 1969, and served July 16, 1969, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of anhydrous ammonia, in bulk, in tank vehicles: (1) from the plantsite of Hill Chemicals, Inc., located at or near Borger, Tex., to points in Colorado, Kansas, and Oklahoma; (2) from the terminal located on the ammonia pipeline of Mapco, Inc., located at or near Conway, Kans., to points in Colorado, Kansas, Missouri, and Nebraska; (3) from the terminal located on the ammonia pipeline of Mapco, Inc., located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota and Wyoming; and (4) from the

terminals located on the ammonia pipeline of Mapco, Inc., located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted in (1), (2), (3), and (4) above to traffic originating at the named origin points and destined to points in the named destination States, subject to the condition that any authority granted herein to the extent that it duplicates any existing authority shall be construed as conferring only a single operating right; that applicant is fit, willing, and able properly to perform such service, and to conform to the requirements of the Interstate Commerce Commission Act and the rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate pleading setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 130039 (Republication), filed May 26, 1967, published FEDERAL REGISTER issues of June 29, 1967 and August 17, 1967, and republished this issue. Applicant: WILLIAM NEZOWY, doing business as ASTRO TRAVEL SERVICE, 1411 Walnut Street, Philadelphia, Pa. Applicant's representative: Alan Kahn, Suite 1920, Two Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa. 19102. By application filed May 26, 1967, as corrected, applicant seeks a license authorizing operations, in interstate or foreign commerce, as a broker at Philadelphia, Pa., in arranging for transportation in interstate or foreign commerce of individual passengers and groups of passengers and their baggage in passenger motor vehicles, in special operations, in round trip tours, beginning and ending in points in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and Gloucester, Camden, and Burlington Counties, N.J., and extending to points in the United States including ports of entry on the international boundary line between the United States and Canada. A decision and order of the Commission, Review Board No. 3, dated June 18, 1969, and served June 24, 1969, finds that operation by applicant, at Philadelphia, Pa., as a broker in arranging for the transportation by motor vehicle, in interstate or foreign commerce, of passengers and their baggage, in charter operations, in round trip tours, beginning and ending at points in Philadelphia County, Pa., and extending to points in the United States, including Alaska and Hawaii, subject to: (1) The right of the Commission, which is hereby expressed reserved, to impose after final determination of the proceeding in Ex Parte No. MC-29 (Sub-No. 2), *Operations of Brokers of Passenger Transportation*, such terms and conditions, if any, as may be deemed necessary to insure that the transportation which applicant arranges is limited to bona fide service as a broker of transportation by motor vehicle of passengers and their baggage in charter operations; and (2) the requirement that a notice of the authority actually granted be published in the FEDERAL REGISTER and issuance of a license in this proceeding be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest, who may have relied upon the notice of the corrected application as published and would be prejudiced by the lack of proper notice of the authority actually granted herein, may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 133447 (Republication), filed January 26, 1969, published in the FEDERAL REGISTER issue of February 20, 1969, and republished this issue. Applicant: BALLEW STORAGE COMPANY, INC., 175 West Woodrow Wilson Drive, Jackson, Miss. 39211. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Jackson, Miss. 39205. By application filed January 26, 1969, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *Household goods*, as defined by the Commission, between Jackson, Miss., on the one hand, and, on the other, points in Attala, Adams, Claiborne, Copiah, Hinds, Lauderdale, Lawrence, Leake, Lincoln, Madison, Rankin, Scott, Simpson, Smith, Warren, and Yazoo Counties, Miss., restricted to shipments moving in containers and having an immediately prior or subsequent movement by rail, motor, water, or air and moving on through bills of lading of forwarders operating under the section 402(b)(2) exemption. An order of the Commission, dated April 3, 1969, and served April 11, 1969, ordered that this proceeding be handled under modified procedure. A report of the Commission, Review Board No. 1, decided July 10, 1969, and served July 23, 1969, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *used household goods*, restricted to the transportation of traffic having a prior or subsequent movement in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic between Jackson, Miss., on the one hand, and, on the other, points in Attala, Adams, Claiborne, Copiah, Hinds, Lauderdale, Lawrence, Leake, Lincoln, Madison, Rankin, Scott, Simpson, Smith, Warren, and Yazoo Counties, Miss.; that applicant is fit, willing, and able properly to perform the service herein authorized and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the publication as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

APPLICATION FOR CERTIFICATE OR PERMIT WHICH IS TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 42487 (Sub-No. 726), filed July 10, 1969. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Francis E. Barrett, 60 Adams Street, Milton, Mass. 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, green hides, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Massachusetts. NOTE: This application is a matter directly related to MC-F-10545, published in the FEDERAL REGISTER issue of July 16, 1969, wherein applicant seeks to convert the certificate of registration of Swan Transportation, Inc., under MC 120433 (Sub-No. 1) into a certificate of public convenience and necessity. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 76032 (Sub-No. 246), filed June 23, 1969. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representatives: Marshall G. Berol, 100 Bush Street, San Francisco, Calif. 94104, and William E. Kenworthy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except used household goods as defined by the Commission, automobiles, trucks, buses, livestock, commodities in bulk, logs, commodities of unusual size, weight, or shape which

for that reason require the use of special equipment or handling, and articles of unusual value). Regular routes: (1) Between Hayward and Stockton, Calif., over U.S. Highway 50; (2) between Richmond and Sacramento, Calif., over U.S. Highway 40; (3) between junction California Highway 12 and U.S. Highway 40 (near Fairfield) and Lodi, Calif., over California Highway 12; (4) between Oakland and Sacramento, Calif., from Oakland over California Highway 24 to junction California Highway 160, thence over California Highway 160 to Sacramento; (5) between junction California Highway 4 and U.S. Highway 40 (near Pinole) and Stockton, Calif., over California Highway 4;

(6) Between Fresno and Sacramento, Calif., over U.S. Highway 99; (7) between junction California Highway 120 and U.S. Highway 50 (near Lathrop) and Oakdale, Calif., over California Highway 120; (8) between junction California Highway 33 and U.S. Highway 50 (near Tracy) and Mendota, Calif., over California Highway 33; (9) between Mendota and Fresno, Calif., over California Highway 180; (10) between Los Banos and Califa, Calif., over California Highway 152; and (11) between Gustine and Merced, Calif., over California Highway 140, and return over the same routes, serving all intermediate points, and points within 25 miles of the regular routes as off-route points in connection with (1) through (11) above. Irregular routes: between points in the San Francisco Territory as hereinafter defined. *San Francisco Territory* includes all the city of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County boundary line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway 101 to its intersection with Southern Pacific Co. right-of-way at Arastradero Road; southeasterly along the Southern Pacific Co. right-of-way to Pollard Road, including Industries served by the Southern Pacific Co. spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to West Parr Avenue; easterly along West Parr Avenue to Capri Drive; southerly along Capri Drive to East Parr Avenue; easterly along East Parr Avenue to the Southern Pacific Co. right-of-way; southerly along the Southern Pacific Co. right-of-way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to U.S. Highway 101; northwesterly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard;

Northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive, and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the city of Richmond; southwesterly along the highway extending from the city of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to the point of beginning. NOTE: This application is directly related to MC-F-10426, published in FEDERAL REGISTER issue of April 3, 1969. The purpose of this application is to convert the certificate of registration of Arthur R. Faughn, doing business as Faughn's Transportation, under Docket No. MC 120842 (Sub-No. 1) into a certificate of public convenience and necessity. Common control may be involved. No duplicating authority is sought. Applicant states it will tack the irregular route authority in the San Francisco Territory, herein sought to the other authority herein sought and to applicant's existing authority, and will serve between points in the Territory and other points authorized to be served by applicant in MC 76032 or by General Expressways in MC 3560. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

TRANSFER APPLICATIONS UNDER SECTION 212(b) WHICH HAVE BEEN DESIGNATED FOR ORAL HEARING

No. MC-FC-71334. DIRECT AIRPORT SERVICE, INC., Huntington Station, N.Y., transferee, and WALTER GEORGE ELSEBOUGH, doing business as PORT JEFFERSON MOTOR TRANSPORTATION COMPANY, Port Jefferson, N.Y., transferor. Attorney for applicants: James McGarry, 535 Fifth Avenue, New York, N.Y. 10017. By application filed April 29, 1969, under section 206(a)(6) of the Act, the above-named transferee seeks to acquire a portion of the evidentiary rights in certificate of registration No. MC-85862 (Sub-No. 1) issued September 18, 1964, to transferor, evidencing a right to engage in the transportation of general commodities, between New York, N.Y., and all points in Suffolk County, N.Y., in interstate or foreign commerce, to the extent authorized in the corresponding intrastate certificate No. 2012, dated April 17, 1940, and issued by the New York Public Service Commission.

By order of the Commission, Division 3, entered in the subject proceeding June 5, 1969, the matter of the transfer No. MC-FC-71334 is assigned for hearing on a consolidated record with the proceeding in No. MC-125893 (Sub-No. 1), at a time and place to be hereafter designated, for the purpose of determining, among other things, whether transferee herein [applicant in the proceeding No. MC-125893 (Sub-No. 1)] is fit to acquire the portion of the evidentiary rights in the certificate of registration herein sought.

Interested parties have 30 days from the date of this publication in which to file petitions for leave to intervene. Such petitions should state the reason or reasons for the intervention, where the petioner wishes the hearing to be held, the number of witnesses it expects to present, and the estimated time required for presentation of its evidence.

No. MC-FC-71434. Authority sought by transferee, ALL CARGO TRANSPORT, INC., Newark, N.J., for transfer of the operating rights of transferor, CARDINALE TRUCKING CORPORATION, Secaucus, N.J. Attorney for applicants: Thomas E. Durkin, Jr., 24 Branford Place, Newark, N.J. 07102. The operating rights sought to be acquired are both common and contract carrier authorities set forth in permits Nos. MC-3582 and MC-3582 (Sub-No. 3), and certificates Nos. MC-17006 and MC-17006 (Sub-No. 1). The contract carrier permit authorizes the transportation of rags, skids, paper and paper products, machinery, materials and supplies used in the manufacture of paper and paper products, over irregular routes, between New York, N.Y., and specified points and areas in New Jersey, in radial and nonradial movements, and between the referred to New York and New Jersey points, on the one hand, and, on the other, points in New Jersey, New York, Pennsylvania, Washington, D.C., Maryland, Massachusetts, Rhode Island, and Connecticut. The common carrier certificates in Nos. MC-17006 and MC-17006 (Sub-No. 1), authorize the transportation of (a) General commodities, with the usual exceptions, and in addition thereto, the exclusion of the commodities named above authorized in the permits MC-3582 and (Sub-No. 3), between specified points and areas in New York, New Jersey, Pennsylvania, Maryland, Massachusetts, Rhode Island, Connecticut, Virginia, Delaware, and the District of Columbia, and (b) rock wool, from Dover, N.J., to Washington, D.C., and points in specified portions of Maryland and Virginia.

The above-entitled transfer application under section 212(b) of the Interstate Commerce Act is to be assigned for

hearing at a time and place to be hereafter designated for the purpose, among others, of determining whether transferee, under § 1132.3 of the Rules and Regulations Governing Transfers of Operating Rights (49 CFR 1132), is financially fit to acquire the rights proposed for transfer, and whether, under § 1132.5(b) of the said rules, the conduct of operations by transferor when operating without cargo insurance resulted in a cessation of lawful operations for a period or periods of time substantial enough to result in dormancy of the rights, and would preclude transfer of same under this rule.

Interested parties have 30 days from the date of this publication in which to file petitions for leave to intervene. Such petitions should state the reason or reasons for the intervention, where the petitioner wishes the hearing to be held, the number of witnesses it expects to present, and the estimated time required for presentation of its evidence.

The Bureau of Enforcement has been directed to participate for the purpose of developing the record.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceeding with respect thereto. (49 CFR 1100.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-10344. (Correction) (KROBLIN REFRIGERATED XPRESS, INC.—Control—RITE-WAY TRUCKING CO., INC.), published in the January 3, 1969, issue of the FEDERAL REGISTER, on page 104. This notice to show the joining in of MILDRED KROBLIN, and LOYAL FRISCH, as additional parties in control of KROBLIN REFRIGERATED EXPRESS INC.

No. MC-F-10553. Authority sought for merger into JONES MOTOR CO., INC., Bridge Street and Schuylkill Road, Spring City, Pa. 19475, of the operating rights and property of ERIE TRUCKING COMPANY, Bridge Street and Schuylkill Road, Spring City, Pa. 19475, and for acquisition by MARINE MIDLAND GRACE TRUST COMPANY OF NEW YORK, VOTING TRUSTEE, 140 Broadway, New York, N.Y. 10015, of control of such rights and property through the transaction. Applicants' attorneys and representative: Roland Rice, 618 Perpetual Building, Washington, D.C. 20004, John E. Fullerton, 407 North Front Street, Harrisburg, Pa. 17101, and Harry A. Hershey, Bridge Street and Schuylkill Road, Spring City, Pa. 19475. Operating rights sought to be merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Buffalo, N.Y., and Erie, Pa., serving no intermediate points, between Erie, Pa., and New York, N.Y., serving the intermediate point of Kane, Pa., and the off-route points in the New York City commercial zone, as defined by the Commission, Port Chester, N.Y., and points in New Jersey within 20 miles of Columbus Circle, N.Y.; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between Erie, Pa., on the one hand, and, on the other, points in New York and Pennsylvania within 80 miles of Erie, except Bradford and Custer City, Pa., and Buffalo, N.Y., between Kane, Pa., on the one hand, and, on the other, points in Pennsylvania within 80 miles of Erie, Pa., except Bradford and Custer City, Pa.; *rough rolled glass*, from Sergeant, Pa., to certain specified points in New Jersey, Rochester, and Elmira, N.Y., and points in the New York, N.Y., commercial zone, as defined by the Commission, certain specified points in Ohio, and Baltimore, Md.; and *uncrated furniture*, from Kane, Pa., to Jamestown, N.Y. JONES MOTOR CO., INC., is authorized to operate as a *common carrier* in New Jersey, Pennsylvania, New York, Maryland, Vermont, Connecticut, Massachusetts, Rhode Island, Missouri, Michigan, Ohio, Illinois, Indiana, New Hampshire, West Virginia, Virginia, North Carolina, Delaware, Maine, South Carolina, Tennessee, Iowa, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: JONES MOTOR CO., INC., controls ERIE TRUCKING COMPANY, through ownership of capital stock, pursuant to authority granted February 1, 1968, as Supplemented March 14, 1968, by Review Board No. 5, in Docket No. MC-F-9952, and consummated March 31, 1968.

MC-4963 Sub-No. 31 is a matter directly related.

No. MC-F-10554. Authority sought for purchase by BUDIG TRUCKING CO., 1100 Gest Street, Cincinnati, Ohio 45203, of the operating rights and property of EARL T. MORRIS, FAY H. MORRIS and FONZIE MORRIS, doing business as A.B. & C. MOTOR FREIGHT LINE, 510 East Fourth Street, Augusta, Ky. 41002, and for acquisition by OTTO M. BUDIG, OTTO M. BUDIG, JR., and GEORGE J. BUDIG, all of Cincinnati, Ohio, of control of such rights and property through the purchase. Applicants' attorneys: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202, and McChesney and Kinker, 711 McClure Building, Frankfort, Ky. 40601. Operating rights sought to be transferred: *General commodities*, excepting among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Brooksville, Ky., and Mount Olivet, Ky., between Powersville, Ky., and Mount Olivet, Ky., serving all intermediate points and the off-route points in Bracken and Robertson Counties, Ky., within 5 miles of the above-described regular routes; *general commodities*, except dangerous explosives and other dangerous articles, and except silks, vehicles, commodities in bulk, between Augusta, Ky., and Cincinnati, Ohio, serving certain intermediate points; *general commodities*, except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk requiring the use of tank vehicles and commodities requiring special equipment, between Cincinnati, Ohio, and Augusta, Ky., serving all intermediate points, and the off-route points in Kentucky within 3 miles of the above-specified route. Vendee is authorized to operate as a *common carrier* in Ohio, Kentucky, and Indiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10555. Authority sought for purchase by THE NATIONAL TRANSIT CORPORATION, 4401 Stecker Avenue, Dearborn, Mich. 48126, of the operating rights and property of OHIO FREIGHT LINES, INC., 500 Kilbourne Street, Columbus, Ohio, and for acquisition by MERCHANTS' FORWARDING COMPANY, also of Dearborn, Mich., of control of such rights and property through the purchase. Applicant's attorney: Rex Eames, Eames, Petrillo, Wilcox, and Nelson, 900 Guardian Building, Detroit, Mich. 48226. Operating rights sought to be transferred: *General commodities*, excepting among others, household goods, commodities in bulk, as a *common carrier* over regular routes, between Chillicothe, Ohio, and Columbus and Commercial Point, Ohio, serving all intermediate points and the off-route point of Williamsport, Ohio; between certain specified points in Ohio, with restrictions; serving all intermediate points except those specifically restricted above; Under a certificate of registration, in Docket No. MC-33469 Sub 8, covering the transportation of properties, as a common carrier, in intrastate commerce, within the State of Ohio. Vendee is authorized to operate as a *common carrier* in Michigan, Kentucky, Ohio, and Indiana. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10556. Authority sought for purchase by ANDREWS VAN LINES, INC., Seventh Street and Park Avenue, Norfolk, Nebr. 68701, of the operating rights of BRADLEY WHITE CO., INC., 3013 Second Avenue, South, Birmingham, Ala. 35233 and for acquisition by CLAYTON L. ANDREWS, also of Norfolk, Nebr., of control of such rights through the purchase. Applicants' attorney: Donald E. Leonard, Box 2028, 605 South 14th Street, Lincoln, Nebr. 68501. Operating rights sought to be transferred: *Household goods* as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, as a *common carrier*, over irregular routes, between points in Alabama, on the one hand, and, on the other, points in Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Ohio, South Carolina, and Tennessee. Vendee is authorized to operate as a *common carrier* in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, Wyoming, Delaware, Maryland, Montana, Idaho, Oregon, Utah, and the

District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: If a hearing is deemed necessary, it is requested that the hearing be set for Birmingham, Ala., or Washington, D.C.

No. MC-F-10557. Authority sought for purchase by P & G MOTOR FREIGHT, INCORPORATED, 450 Burnham Street, South Windsor, Conn., of the operating rights and certain property of STATE TRANSFER INC., 478 Roberts Street, East Hartford, Conn., and for acquisition by JACK I. EDELBERG, 33 Seneca Avenue, Rockaway, N.J., of control of such rights and property through the purchase. Applicants' attorney and representative: Reubin Kaminsky, 410 Asylum Street, Hartford, Conn., and Edwin A. Lassman, 111 Pearl Street, Hartford, Conn. Operating rights sought to be transferred: Under a certificate of registration, in No. MC-98616 Sub 1, covering the transportation of property, as a common carrier, in intrastate commerce within the State of Connecticut. Vendee is authorized to operate as a *common carrier* in Connecticut, New Jersey, Massachusetts, and New York. Application has been filed for temporary authority under section 210a(b). NOTE: MC-66512 Sub 7, is a matter directly related.

No. MC-F-10558. Authority sought for purchase by EASTERN BUS LINES, INC., 49 Brainard Place, Manchester, Conn. 06040 of a portion of the operating rights of the THE SHORT LINE OF CONNECTICUT, INCORPORATED, doing business as THE SHORT LINE, 667 Cromwell Avenue, Rocky Hill, Conn. 06067, and for acquisition by GEORGE A. NEGRO, 775 Vernon Street, Manchester, Conn., of control of such rights through the purchase. Applicants' attorneys: John E. Fay, 79 Lafayette Street, Hartford, Conn., and REUBIN KAMINSKY, 410 Asylum Street, Hartford, Conn. 06103. Operating rights sought to be transferred: Passengers and their baggage and express and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes between Hartford, Conn., and New London, Conn., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Connecticut, Massachusetts, Rhode Island, New York, New Jersey, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10559. Authority sought for purchase by HMIELESKI TRUCKING CORP., 108 New Era Drive, South Plainfield, N.J. 07080, of a portion of the operating rights of WARCO SERVICE, INC., Post Office Box 293, Dunellen, N.J., and for acquisition by EDMUND HMIELESKI, JR., 553 McKeon Street, Perth Amboy, N.J., and LILLIAN HMIELESKI, 555 McKeon Street, Perth Amboy, N.J., of control of such rights through the purchase. Applicants' attorneys: George Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306, and Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Operating rights sought to be transferred: *General commodities*, except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment, as a *common carrier* over irregular routes, between Newark, N.J., on the one hand, and, on the other, points in Middlesex, Somerset, and Union Counties, N.J. Vendee is authorized to operate as a *common carrier* in New Jersey, New York, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10560. Authority sought for purchase by KANE FREIGHT LINES, INC., 150 South Washington Avenue, Scranton, Pa. 18503, of the operating rights of ESCHENBACH & RODGERS, INC., 520 North Seventh Avenue, Scranton, Pa. 18503, and for acquisition by EUGENE J. KANE, 915 Poplar Street, Dunmore, Pa., of control of such rights through the purchase. Applicants' attorney: William F. King, Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314. Operating rights sought to be purchased. *Such merchandise* as is dealt in by wholesale retail, and chain grocery and food business houses, and, in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, as a *contract carrier* over irregular routes, between certain specified points in New York and Pennsylvania, between certain points in the above territory, on the one hand, and, on the other, New York, N.Y., and certain specified points in New Jersey and Philadelphia, Pa.; *fruits, vegetables, farm products, poultry, and sea food*, in the respective seasons of their production, from points in New York, New Jersey, Pennsylvania, and Delaware to points in the above-specified territory; *paper and paperboard boxes*, from Canton, Pa., to New York, N.Y., certain specified points in New Jersey; *wastepaper and wooden skids*, from Canton, Pa., to Ridgefield Park, N.J.; *paper, paperboard, cardboard, paperstock, and materials used in the manufacture of paper and paperboard boxes*, from Ridgefield Park, N.J., to Canton, Pa.; *used corrugated paper shipping containers*, from New York, N.Y., and certain specified points in New Jersey to Canton, Pa.; and *wastepaper*, from Kingston, Pa., to Ridgefield Park, N.J., serving no intermediate points. Vendee holds no authority from this Commission. However, its controlling stockholder is authorized to operate as a *common carrier* in Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10561. Authority sought for control by JONATHAN B. DETWILER, 609 Cherry Lane, Phoenixville, Pa. 19460, of KULP AND GORDON, INC., 365 Hall Street, Phoenixville, Pa. 19460. Applicants' attorney: Leonard Sugerman, 400 South Main Street, Phoenixville, Pa. 19460. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between certain specified points in Pennsylvania, serving all intermediate points, except those between Philadelphia and Oaks, Pa., and those between Philadelphia and Malvern, Pa., and the off-route points within 6 miles of Phoenixville and those within 6 miles of Coatesville; between Philadelphia, Pa., and West Chester, Pa., serving no intermediate points, with restriction; *hospital supplies and equipment*, from Perry Point, Md., to Baltimore, Md., and Coatesville, Pa.; *canned goods*, from Kennedyville and Perryman, Md., to Baltimore, Md., serving no intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, from Camden, N.J., to points in Pennsylvania within 50 miles of Camden, from Philadelphia, Pa., to points in New Jersey within 50 miles of Philadelphia; *structural steel and iron, equipment, supplies, and materials*, used or useful in the installation or erection of such commodities, between Phoenixville and Coatesville, Pa., on the one hand, and, on the other, points in New York, New Jersey, Delaware, and Maryland, from Phoenixville, Pa., to points in the Washington, D.C., Commercial Zone, as defined in 3 M.C.C. 243;

Insulating materials, from Port Kennedy, Pa., to points within 150 miles of Port Kennedy in New Jersey (except those within 35 miles of New York, N.Y.), Maryland, Delaware, and the District of Columbia; *commissary supplies*, from Baltimore, Md., to Coatesville and Norristown, Pa.; *lumber*, from Baltimore, Md., to Fredericksburg, Va.; *paper*, from Modena, Pa., to Erving, Mass.; *scrap paper and wood pulp*, from Erving, Mass., to Modena, Pa.; *paper napkins*, from Erving, Mass., to North Wales, Pa.; *steel plates*, from Coatesville, Pa., to Providence, R.I., with restriction; *machinery parts and castings*, between Downingtown, Pa., on the one hand, and, on the other, points in New Jersey, those in New Castle County, Del., and those in Maryland within 15 miles of Baltimore, including Baltimore; *empty paint containers*, from Washington, D.C., Baltimore, Md., certain specified points in New Jersey, Tarrytown, N.Y., and points in the New York, N.Y., Commercial Zone, as defined by the Commission, to Philadelphia, Pa.; *machinery*, used or useful in the manufacture of furniture, *metal and wooden furniture, mattresses, springs, padding, paint, and advertising material*, pertaining to such commodities, between Elizabeth, N.J., and Long Island City, N.Y., on the one hand, and, on the other, Washington, D.C., Wilmington, Del., Baltimore, Md., Philadelphia, Pa., and points in Pennsylvania within 35 miles of Philadelphia, between Philadelphia, Pa., on the one hand, and, on the other, Washington, D.C., Baltimore, Md., and points in the New York, N.Y., Commercial Zone, as defined by the Commission;

Cotton, cotton batts, and tufts, padding, burlap, sisal, sisal and cotton waste, linters, and advertising material, pertaining to such commodities, between Philadelphia, Pa., on the one hand, and, on the other, Washington, D.C.,

Baltimore, Md., certain specified points in New Jersey, Tarrytown, N.Y., and points in New York, N.Y., Commercial Zone; *paper boxes, and advertising material,* pertaining to paper boxes, between Philadelphia, Pa., on the one hand, and, on the other, certain specified points in New Jersey; *paper boxes,* uncrated, from Croydon, Pa., to points in Pennsylvania and New Jersey, except those in the New York, N.Y., Commercial Zone, as defined in New York, N.Y., Commercial Zone, 1 M.C.C. 665, and except those in Gloucester, Mercer, Burlington, Ocean, Monmouth, Middlesex, and Somerset Counties, N.J., but not excluding service to Glassboro, Milltown, New Brunswick, Perth Amboy, Somerville, and Camden, N.J.; *metal furniture and metal furniture parts,* from Philadelphia, Pa., to points in Connecticut, New York, New Jersey, Delaware, Virginia, Maryland, and the District of Columbia; *iron and steel products,* from Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., points in New Jersey, those in New York within 75 miles of New York, N.Y., that part of Delaware on and north of a straight line beginning at the Delaware-Maryland State line near Burrsville, Md., and extending east through Milford, Del., to the Delaware Bay, certain specified points in Maryland, and those in the District of Columbia; *steel containers,* between Philadelphia, Pa., to points in Pennsylvania within 20 miles of Philadelphia, on the one hand, and, on the other, Camden, N.J., and points in New Jersey within 20 miles of Camden;

Materials, supplies, and equipment which are at the time intended to be used in the construction of bridges, from Phoenixville, Pa., to points in Connecticut, Massachusetts, Rhode Island, and Maine, with restriction; and *materials, equipment, and supplies* which have been used in the construction of steel bridges, from Washington, D.C., and points in Connecticut, Massachusetts, Rhode Island, and Maine, to Phoenixville, Pa., with restriction. JONATHAN B. DETWILER holds no authority from this Commission. However, he is a stockholder of P & D LUMBER HANDLING CO., Pothouse Road, Post Office Box 269, Phoenixville, Pa., which is authorized to operate as a *common carrier* in Delaware, New Jersey, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b). NOTE: Applicant includes a petition to dismiss Application for lack of jurisdiction.

No. MC–F–10562. Authority sought for purchase by PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Post Office Box 958, Oakland, Calif. 94604, of a portion of the operating rights of UNITED BUCKINGHAM FREIGHT LINES, INC., Post Office Box 192, Littleton, Colo. 80120. Applicants' attorney and representative: George R. LaBissoniere, 920 Logan Building, Seattle, Wash. 98101, and W. S. Pilling, also of Oakland, Calif. Operating rights sought to be controlled: *General commodities,* excepting among other household goods, and commodities in bulk, as a *common carrier* over regular routes, between Chicago, Ill., and Detroit, Mich., serving all intermediate points in Michigan, and certain off-route points in Illinois and points in the Chicago, Ill., Commercial Zone as defined by the Commission, between Lansing, Mich., and Battle Creek, Mich., serving the intermediate point of Charlotte, Mich., between Grand Rapids, Mich., and Kalamazoo, Mich., serving the intermediate point of Plainwell, Mich., between Grand Rapids, Mich., and Detroit, Mich., serving all intermediate points, between Coldwater, Mich., and junction U.S. Highways 127 and 12, near Somerset Center, Mich., serving no intermediate points, between Corunna, Ind., and Chicago, Ill., serving all intermediate points, and the off-route points within 2 miles of Kendallville, Ind., and those in the Chicago, Ill., Commercial Zone as defined by the Commission in 1 M.C.C. 673, between Corunna, Ind., and Fort Wayne, Ind., between Fort Wayne, Ind., and junction U.S. Highway 27 and Indiana Highway 327, at or near Garrett, Ind., between Tekonsha, Mich., and Jackson, Mich., between Marshall, Mich., and Jackson, Mich., serving all intermediate points; over numerous alternate routes for operating convenience only; *frozen fruits, frozen berries, and frozen vegetables,* over irregular routes, from Chicago, Ill., to Holland and Lake Odessa, Mich., with restriction. Vendee is authorized to operate as a *common carrier* in Colorado, Utah, Wyoming, Arizona, Montana, Texas, New Mexico, Michigan, Indiana, Ohio, Minnesota, North Dakota, Florida, Pennsylvania, Connecticut, Kentucky, Maryland, Massachusetts, New Jersey, New York, South Dakota, Rhode Island, California, Oregon, Washington, Nebraska, Iowa, Louisiana, Missouri, and Tennessee. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69–8939; Filed, July 29, 1969; 8:48 a.m.]

[Notice 874]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 25, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC–67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 13308 (Sub-No. 2 TA), filed July 14, 1969. Applicant: POPLARVILLE TRUCK LINE, INC., 553 South Broadway, Greenville, Miss. 38701. Applicant's representative: Douglas C. Wynn, Post Office Box 1295, Greenville, Miss 38701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Canned and/or frozen foods, and advertising promotional or display material traveling therewith,* from the plants, warehouses, and facilities of Delta Food Processing Corp. in Moorhead, Miss., to points in Mississippi, Louisiana, Arkansas, Texas, Oklahoma, Kansas, Missouri, Illinois, Indiana, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Ohio, Virginia, and Maryland; (2) *cans, boxes, cartons, and containers,* from Tampa, Fla.; Atlanta, Ga.; Birmingham, Ala.; New Orleans, La.; Dallas, Houston and Arlington, Tex.; Kansas City and St. Louis, Mo.; Chicago, Ill.; Austin, Ind.; Winchester, Va.; and Spartanburg, S.C., and their respective commercial zones as defined by the Commission, to Moorhead, Miss.; (3) *cardboard, fiberboard, paper, and composition containers,* from Memphis and Nashville, Tenn.; Birmingham, Ala.; Atlanta, Ga.; Monroe and New Orleans, La.; Dallas and Houston, Tex. and their respective commercial zones to Moorhead, Miss.; (4) *machinery, parts, accessories, equipment, supplies, implements, parts, appliances, and products,* usually or customarily used or useful in the processing, manufacture, packing, freezing, or canning of foodstuffs, from points in Arkansas, Louisiana, Texas, Oklahoma, Kansas, Missouri, Illinois, Indiana, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Ohio, Virginia, and Maryland to Moorhead, Miss., for 180 days. NOTE: Carrier does not intend to tack, but will interline with all qualified carriers at any authorized point of interchange. Supporting shipper: Delta Food Processing Corp., Moorhead, Miss. 38761. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 30887 (Sub-No. 160 TA), filed July 16, 1969. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Reisterstown, Md. 21136. Applicant's representative: W. Wilson Corroum (same address as above). Authority sought to operate as a *common carrier,*

by motor vehicle, over irregular routes, transporting: *Natural latex*, in bulk, from Lorain, Ohio, to points in Ohio, Illinois, Michigan, Indiana, Wisconsin, Minnesota, Missouri, Oklahoma, Virginia, Georgia, North Carolina, Tennessee, New Jersey, Massachusetts, Rhode Island, New York, and California, for 180 days. Supporting shipper: Stein, Hall & Co., Inc., 605 Third Avenue, New York, N.Y. 10016. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1125 Federal Building, Baltimore, Md. 21201.

No. MC 36974 (Sub-No. 6 TA), filed July 17, 1969. Applicant: HMIELESKI TRUCKING CORP., 108 New Era Drive, South Plainfield, N.J. 07080. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances*, from Edison, N.J., to points in Fairfield County, Conn., for 180 days. Supporting shipper: Westinghouse Appliance Sales & Service Co., Division of Westinghouse Electric Corp., 1 Allegheny Square, Box 6755, Pittsburgh, Pa. 15212. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 113709 (Sub-No. 2 TA), filed July 16, 1969. Applicant: W. D. RUBRIGHT COMPANY, 100 East New Castle Street, Zelienople, Pa. 16063. Applicant's representative: Frederick L. Kiger, 7823 Mount Carmel Road, Verona, Pa. 15147. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, in bulk, from Pittsburgh, Pa., to Beckley, W. Va., for 180 days. Supporting shipper: (1) Clinton Corn Processing Co. (Division of Standard Brands, Inc.), Clinton, Iowa 52732; (2) E. V. Gordy, 733 Washington Road, Pittsburgh, Pa. 15228. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 116254 (Sub-No. 98 TA), filed July 16, 1969. Applicant: CHEM-HAULERS, INC., Post Office Box 245, Sheffield, Ala. 35660. Applicant's representative: L. Winston Biggs (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrofluosilicic acid*, in bulk, in tank vehicles, from Lavergne, Tenn., to Muscatine, Iowa, and St. Louis, Mo., for 150 days. Supporting shipper: Tennessee Farmers Chemical Co., Lavergne, Tenn., Attention: Mr. Allen Pogue, Manager of Distribution. Send protests to: B. R. McKenzie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 118159 (Sub-No. 71 TA), filed July 16, 1969. Applicant: EVERETT LOWRANCE, INC., Post Office Box 10216, New Orleans, La. 70121. Applicant's representative: David P. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dough, prepared* other than frozen, from Denison, Tex., to points in Tennessee, for 180 days. Supporting shipper: The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 4009 Federal Building, New Orleans, La. 70113.

No. MC 119619 (Sub-No. 14 TA), filed July 16, 1969. Applicant: DISTRIBUTORS SERVICE CO., 2000 West 43d Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and packinghouse products*, from Postville, Iowa, to points in Wisconsin, Illinois, Indiana, Ohio, and Michigan, for 180 days. NOTE: Applicant states that tacking, as well as interline, is possible. Supporting shipper: Hygrade Food Products Corp., 11801 Mack Avenue, Detroit, Mich. 48214. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 119726 (Sub-No. 19 TA), filed July 15, 1969. Applicant: N. A. B. TRUCKING CO., INC., 1007 East 27th Street, Indianapolis, Ind. 46205. Applicant's representative: Douglas C. Wynn, Post Office Box 1295, 364–365 May Building, Greenville, Miss. 38701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned food preparations and canned foodstuff and advertising, promotional and display materials* when moving therewith; from points in Sunflower County, Miss., to points in Oklahoma, Arkansas, Texas, Minnesota, Ohio, Missouri, Wisconsin, Illinois, Michigan, Indiana, Kentucky, Georgia, Florida, Louisiana, Alabama, Iowa, and Tennessee, for 180 days. NOTE: Applicant does not intend to tack, but will interline with all qualified carriers at any authorized point of interchange. Supporting shipper: Delta Food Processing Corp., Moorhead, Sunflower County, Miss. 38761. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, 36 South Pennsylvania Street, 802 Century Building, Indianapolis, Ind. 46204.

No. MC 119880 (Sub-No. 34 TA), filed July 16, 1969. Applicant: DRUM TRANSPORT INC., Box 2056, East Peoria, Ill. 61611. Applicant's representative: B. N. Drum (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, in tank vehicles, from Cincinnati, Ohio, to Los Angeles, Calif., for 180 days. Supporting shipper: National Distillers Products Co., 99 Park Avenue, New York, N.Y. 10016. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse and Federal Office Building, Room 1086, 219 South Dearbon Street, Chicago, Ill. 60604.

No. MC 124679 (Sub-No. 25 TA), filed July 16, 1969. Applicant: C. R. ENGLAND & SONS, INC., 228 West Fifth South Street, Salt Lake City, Utah 84101. Applicant's representative: Danial B. Johnson, Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Seattle, Wash., to points in Utah and Idaho, for 180 days. Supporting shipper: Mrs. J's Food Products Co., 3119 Eastlake Avenue East, Seattle, Wash. 98102 (Frank E. Jakutis, President). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 125985 (Sub-No. 5 TA), filed July 16, 1969. Applicant: AUTO DRIVEAWAY COMPANY, 343 South Dearborn Street, Chicago, Ill. 60604. Applicant's representative: W. J. Zeiter (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buses* in initial movement, in driveaway service, from points in Wayne County, Ind., to points in Maricopa County, Ariz., for 180 days. Supporting shipper: The Marston Supply Co., 3209 North Central Avenue, Phoenix, Ariz. 85001. Send protests to: William E. Gallagher, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse and Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 127261 (Sub-No. 4 TA), filed July 16, 1969. Applicant: DIAZ MOTOR FREIGHT, INC., Post Office Box 8166, New Orleans, La. 70122. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Reinforcing steel*, from New Orleans, La., to points in Alabama, Arkansas, Florida, Louisiana, Mississippi, Tennessee, and East Texas, for 180 days. Supporting shipper: Armco Steel Corp., Post Office Box 26394, New Orleans, La. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 4009 Federal Building, New Orleans, La. 70113.

No. MC 127557 (Sub-No. 13 TA), filed July 16, 1969. Applicant: COMMERCIAL TRANSPORTATION, INC., 833 Warner Street SW., Atlanta, Ga. 30310. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Du Bois, Pa., to points in South Carolina, for 150 days. Supporting shipper: Du Bois Brewing Co., Du Bois, Pa. 15801. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 133883 (Sub-No. 1 TA), filed July 15, 1969. Applicant: GERALD EVENSON, Box 328, Pelican Rapids, Minn. 56572. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wooden kitchen and bathroom cabinets and hardware and accessories* used in the installation thereof, from plantsite of Central States Industries, Inc., at Fergus Falls, Minn., to points in Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Indiana, Michigan, and Ohio; (2) *Materials and supplies* used in the manufacture of the above commodities, from points in Arkansas, Kentucky, and Tennessee, to the said plantsite at Fergus Falls, Minn., for 180 days. Supporting shipper: Central States Industries, Inc., 302 East Washington, Fergus Falls, Minn. 56537. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1621 South University Drive, Room 213, Fargo, N. Dak. 58102.

No. MC 133902 TA, filed July 17, 1969. Applicant: CEGO LEASING, INC., Post Office Box 114, Cerro Gordo, N.C. 28430. Applicant's representative: V. J. Benton, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Baskets, basket materials, crates, crate material, and agricultural commodity containers, wooden boxes, box materials, pallets and pallet boxes, pallets and pallet material*, for 180 days. Supporting shipper: Berryville Basket Co., Inc., Berryville, Va. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 10885, Cameron Village Station, Raleigh, N.C. 27605.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-8940; Filed, July 29, 1969; 8:48 a.m.]

[Notice 385]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 25, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71022. By order of July 18, 1969, the Motor Carrier Board approved the transfer to New York-New Jersey Transp., Inc., Bloomfield, N.J.; of certificate in No. MC-116840, issued March 25, 1958, to Orient Express, Inc., Lyndhurst, N.J., authorizing the transportation of: General commodities with the usual exceptions, between points in Bergen, Essex, Hudson, Middlesex, Morris, Passaic, and Union Counties, N.J., on the one hand and on the other, New York, N.Y. Robert De Kroyft, 24 Branford Place, Newark, N.J.; 07102, attorney for applicants.

No. MC-FC-71365. By order of July 18, 1969, the Motor Carrier Board approved the transfer to William C. Bonner, Inc., Philadelphia, Pa., of the operating rights in certificates Nos. MC-72367 and MC-72367 (Sub-No. 1) issued November 8, 1966, and June 20, 1967, respectively, to Florence M. Bonsall, doing business as J. Colton Bonsall, Collingswood, N.J., authorizing the transportation of brick, from Reading, Pa., to Atlantic City, N.J., and points in Camden County, N.J.; concrete pipe, from Pottstown, Pa., to points in Camden County, N.J., and steel, from Philadelphia, Pa., to points in New Jersey, Delaware, and Maryland. Paul Ribner, 400 Penn Square Building, Philadelphia, Pa. 19107, attorney for applicants.

[SEAL] ANDREW ANTHONY, JR., *Acting Secretary.*

[F.R. Doc. 69-8941; Filed, July 29, 1969; 8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JULY 25, 1969.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by special rule 245 (49 CFR 1100.245) of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MT-3837, filed June 30, 1969. Applicant: SHERIDAN'S MOTOR EXPRESS, INC., Post Office Box 65, Homer, N.Y. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: *General commodities*, as defined in Title 16 NYCRR 800.1, between Syracuse and Cortland via Interstate Highway 81 serving no intermediate points on said highway other than presently authorized in applicant's certificate No. 2573. Both intrastate and interstate authority sought.

HEARING: Not yet assigned. Requests for procedural information including the time for filing protests concerning this application should be addressed to the New York Public Service Commission, 44 Holland Avenue, Albany, N.Y. 12208, and should not be directed to the Interstate Commerce Commission.

State Docket No. MT-4048, filed July 1, 1969. Applicant: MONK'S EXPRESS, INC., Phelps Street, Binghamton, N.Y. 13901. Certificate of public convenience and necessity sought to operate a freight service as follows: *General commodities*, as defined in Title 16 NYCRR 800.1, between Binghamton and Cortland via Interstate Highway 81 serving no intermediate points on said highway other than presently authorized in applicant's Certificate No. 2312. Both intrastate and interstate authority sought.

HEARING: Not yet assigned. Requests for procedural information including the time for filing protests concerning this application should be addressed to the New York Public Service Commission, 44 Holland Avenue, Albany, N.Y. 12208, and should not be directed to the Interstate Commerce Commission.

State Docket No. 16199, filed July 3, 1969. Applicant: JIMMY STEIN MOTOR LINES, INC., Post Office Box 4201, Mobile, Ala. 36604. Applicant's representative: Robert E. Tate, Post Office Box 517, Evergreen, Ala. 36401. Certificate of public convenience and necessity sought to operate a freight service as follows: *General commodities* (except household goods, commodities in bulk and explosives), including coins, between Birmingham, Ala., and Thomasville, Ala., traveling over Alabama Highway 5 and U.S. Interstate 20-59. Applicant proposes to tack with all presently held authority but does not propose to operate between Birmingham, Ala., and Mobile, Ala. Applicant also desires to remove all present restrictions in its APSC certificate 2496. Both intrastate and interstate authority sought.

HEARING: Contact Alabama Public Service Commission for this information. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala. 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-8942; Filed, July 29, 1969; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

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

3 CFR

Page

PROCLAMATIONS:

3918 ... 12013
3919 ... 12079

5 CFR

213 ... 11135, 11181, 11259, 11362, 11363, 11409, 11537, 11965, 12015, 12127, 12213, 12325, 12371, 12372, 12425
294 ... 12425
352 ... 11537
353 ... 11537
511 ... 11537
532 ... 11537
550 ... 11083
713 ... 11537
772 ... 11537

7 CFR

17 ... 12015
55 ... 11297
56 ... 11355
61 ... 12162
68 ... 12162
81 ... 12015
102 ... 12426
251 ... 11181
301 ... 12372–12376
354 ... 11547, 11548
362 ... 11297, 12081
401 ... 11259
719 ... 11410
722 ... 11082, 12325
724 ... 12127
777 ... 11412
905 ... 11082, 11297, 12426
908 ... 11182, 11413, 12016, 12223, 12224, 12376
909 ... 11135
910 ... 11259, 11548, 12128, 12164, 12325, 12427
911 ... 11549, 12164
913 ... 12428
916 ... 11413
917 ... 11259, 12165
919 ... 11549
922 ... 12429
924 ... 12326
944 ... 11135, 11965, 12165
945 ... 11260
946 ... 11550
947 ... 11136
948 ... 11261
991 ... 11414
1032 ... 11463
1050 ... 12253
1063 ... 12253
1421 ... 11414, 11583, 12081, 12128, 12326, 12327
1427 ... 11584, 12224
1434 ... 11589
1446 ... 12327
1464 ... 12129, 12253

PROPOSED RULES:

51 ... 11306, 11311, 12181, 12395
68 ... 11147
101 ... 11272
102 ... 11272
103 ... 11272
104 ... 11272

7 CFR—Continued

Page

PROPOSED RULES—Continued

105 ... 11272
106 ... 11272
107 ... 11272
108 ... 11272
111 ... 11272
301 ... 11306
908 ... 12182
919 ... 11316, 12445
922 ... 11552
948 ... 12395
967 ... 11213
Ch. X ... 12102
1001 ... 11814
1002 ... 11816
1003 ... 11364, 11816
1004 ... 11364, 11819
1005 ... 11822
1006 ... 11824
1011 ... 11826
1012 ... 11828
1013 ... 11213, 11830
1015 ... 11832
1016 ... 11364, 11833
1030 ... 11836
1032 ... 11839
1033 ... 11841
1034 ... 11844
1035 ... 11846
1036 ... 11849, 12043
1040 ... 11851
1041 ... 11853
1043 ... 11856
1044 ... 11858
1046 ... 11859
1049 ... 11862
1050 ... 11099, 11864
1060 ... 11867
1062 ... 11869
1063 ... 11378, 11872
1064 ... 11874
1065 ... 11876
1068 ... 11878
1069 ... 11881
1070 ... 11884
1071 ... 11886
1073 ... 11888
1075 ... 11890
1076 ... 11893
1078 ... 11896
1079 ... 11897
1090 ... 11899
1094 ... 11901
1096 ... 11903
1097 ... 11905
1098 ... 11907
1099 ... 11909
1101 ... 11912
1102 ... 11914
1103 ... 11915
1104 ... 11918
1106 ... 11920
1108 ... 11922
1120 ... 11924
1121 ... 11927
1125 ... 11930, 12284
1126 ... 11933
1127 ... 11936
1128 ... 11938
1129 ... 11940
1130 ... 11942

7 CFR—Continued

Page

PROPOSED RULES—Continued

1131 ... 11802, 12102
1132 ... 11099, 11944
1133 ... 11147, 11947
1134 ... 11949
1136 ... 11952
1137 ... 11954
1138 ... 11956, 12445

8 CFR

1 ... 12213
214 ... 12376
238 ... 12376
292 ... 12213

9 CFR

56 ... 12329
72 ... 12214
76 ... 12329
78 ... 11538
97 ... 11081, 11539
112 ... 11490
113 ... 11490
114 ... 11491
307 ... 12016
310 ... 11491
317 ... 11262
318 ... 11262, 12084
340 ... 12016
355 ... 12016

PROPOSED RULES:

71 ... 11593
112 ... 12042
113 ... 12042
114 ... 12042

10 CFR

2 ... 12254

PROPOSED RULES:

40 ... 12107

12 CFR

204 ... 12430
207 ... 12255, 12330
217 ... 12430
220 ... 12132, 12330
221 ... 12330
226 ... 11083, 12255, 12330
250 ... 11414
545 ... 11464, 11465, 12025

PROPOSED RULES:

204 ... 11214, 11384
213 ... 11214
217 ... 11384

13 CFR

121 ... 12431

PROPOSED RULES:

121 ... 12049

14 CFR

39 ... 11137, 11415, 11465, 12025, 12026, 12085, 12159, 12160, 12214, 12256, 12257, 12332, 12378
47 ... 12214

14 CFR—Continued

Page

71 ... 11085, 11182, 11355, 11415, 11465, 11589, 12026, 12027, 12085, 12086, 12133, 12160, 12161, 12215, 12257, 12258, 12379–12381
73 ... 12258, 12381
75 ... 12133, 12258
95 ... 11137, 12258
97 ... 11183, 11466, 12261, 12382
121 ... 11488, 11489
225 ... 11198
288 ... 11085
378 ... 11263
389 ... 12266
1204 ... 11974
1211 ... 11975
1221 ... 12332

PROPOSED RULES:

25 ... 12450
37 ... 12287
39 ... 11424, 12048, 12102, 12103, 12225
61 ... 12394
67 ... 12394
71 ... 11100–11103, 11379–11381, 11500, 12103–12106, 12186, 12225, 12289–12291, 12395, 12451
73 ... 11103
75 ... 12186
218 ... 11424

15 CFR

30 ... 11463
373 ... 12165
386 ... 12165
1000 ... 12171

PROPOSED RULES:

602 ... 12043

16 CFR

13 ... 11087–11089, 11298, 11299, 11415–11417, 11579, 11580, 12216–12218, 12267–12269, 12334–12336, 12377
15 ... 11140, 11199, 11418, 11492
303 ... 11141, 12133
500 ... 11089
503 ... 11199

PROPOSED RULES:

422 ... 12449

17 CFR

231 ... 11581
239 ... 12176
240 ... 11539
241 ... 11581
249 ... 11539, 12176

18 CFR

2 ... 11200, 11464, 12177, 12274
4 ... 12274
16 ... 12272
157 ... 12432
620 ... 12336

PROPOSED RULES:

2 ... 11318
101 ... 11382
141 ... 11106, 11382, 12109

19 CFR

4 ... 12028, 12433
10 ... 12433

19 CFR—Continued

Page

16 ... 12028
19 ... 12086
31 ... 12087

20 CFR

405 ... 11201, 12275
614 ... 12433

21 CFR

Ch. I ... 11090
1 ... 11357, 11541
8 ... 11542
14 ... 12177
17 ... 11090
19 ... 12279
31 ... 12087
120 ... 11589–11591, 12028, 12088, 12378, 12434
121 ... 11542, 11543, 11589, 12088–12090, 12178
138 ... 12178, 12435
146 ... 12091
146a ... 12029
147 ... 11592, 12279
148 ... 12091

PROPOSED RULES:

1 ... 11423
15 ... 11423, 11552
53 ... 11099
138 ... 12394
141 ... 12286
141c ... 12184
146c ... 12184
148n ... 12184
191 ... 11423

22 CFR

121 ... 12029, 12437
122 ... 12031
123 ... 12032
124 ... 12036
125 ... 12037
126 ... 12039
127 ... 12040
128 ... 12040

24 CFR

15 ... 11543
200 ... 11091
203 ... 11092, 11094, 12092
207 ... 11092, 11094
213 ... 11092
220 ... 11093, 11094
221 ... 11093
232 ... 11093
234 ... 11093
241 ... 11093
242 ... 11094

25 CFR

151 ... 11263, 11544
221 ... 12041, 12280

PROPOSED RULES:

221 ... 11424

28 CFR

0 ... 11493, 11545
42 ... 12280

29 CFR

602 ... 12281
603 ... 12281
608 ... 11141
609 ... 12135
687 ... 12282

29 CFR—Continued

Page

1500 ... 11263
1504 ... 11182

30 CFR

201 ... 11299

31 CFR

316 ... 11545
500 ... 12179

32 CFR

1 ... 12017
2 ... 12018
3 ... 12018
7 ... 12019
15 ... 12022
16 ... 12023
19 ... 12024
30 ... 12024
48 ... 12092
52 ... 12097
62 ... 11299
80 ... 12097
80a ... 12097
100 ... 11356
104 ... 11966
156 ... 11544
230 ... 12337
278 ... 11966
288 ... 12339
801 ... 11967
826 ... 11300
830 ... 11301
905 ... 11967
920 ... 11968
1464 ... 11464
1471 ... 11264
1472 ... 11264
1701 ... 12098
1713 ... 12098
1801 ... 11544
1807 ... 11544

33 CFR

92 ... 11265
110 ... 11582, 12255, 12436
117 ... 11095, 11582
207 ... 11544

35 CFR

67 ... 12437

36 CFR

7 ... 11301, 11545, 11969, 12341
211 ... 12341

PROPOSED RULES:

7 ... 11306, 12140
31 ... 12443

38 CFR

3 ... 11970
21 ... 11551, 12015
36 ... 11095

39 CFR

742 ... 11592

41 CFR

1–1 ... 11970, 12341
1–5 ... 12341
1–8 ... 11357
1–15 ... 11493
1–16 ... 11358
5–3 ... 11142
5–53 ... 11142
6–1 ... 11143

41 CFR—Continued

42 CFR

43 CFR

45 CFR

46 CFR

47 CFR

49 CFR

49 CFR—Continued

50 CFR