

FEDERAL REGISTER

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Pages 11157-11211

Agencies in this issue—

The President
Agricultural Research Service
Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Education Office
Federal Aviation Administration
Federal Communications Commission
Federal Deposit Insurance Corporation
Federal Insurance Administration
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Food and Drug Administration
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Science Foundation
Securities and Exchange Commission
Special Representative for Trade
Negotiations Office

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Volume 82

UNITED STATES
STATUTES AT LARGE

[90th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1968, reorganization plans, and Presidential proclamations. Also included are: a subject index, tables of prior

laws affected, a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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Title 3—THE PRESIDENT

Executive Order 11545

ESTABLISHING THE DEFENSE DISTINGUISHED SERVICE MEDAL

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Armed Forces of the United States, it is ordered as follows:

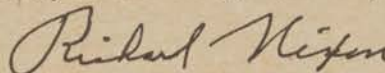
SECTION 1. There is hereby established a Defense Distinguished Service Medal, with accompanying ribbons and appurtenances, for award by the Secretary of Defense to a military officer who performed exceptionally meritorious service in a duty of great responsibility with the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, a specified or unified command, a Defense agency, or such other joint activity as may be designated by the Secretary of Defense.

SEC. 2. The Defense Distinguished Service Medal and appurtenances thereto shall be of appropriate design approved by the Secretary of Defense and shall be awarded under such regulations as he shall prescribe. These regulations shall place the Defense Distinguished Service Medal in an order of precedence after the Medals of Honor and the Distinguished Service Crosses of the Armed Forces and before the Distinguished Service Medals of the Armed Forces.

SEC. 3. No more than one Defense Distinguished Service Medal shall be awarded to any one person, but for each succeeding exceptionally meritorious period of service justifying such an award, a suitable device may be awarded to be worn with that Medal as prescribed by appropriate regulations of the Department of Defense.

SEC. 4. The Defense Distinguished Service Medal or device may be awarded posthumously and, when so awarded, may be presented to such representative of the deceased as may be deemed appropriate by the Secretary of Defense.

THE WHITE HOUSE,
July 9, 1970.



[F.R. Doc. 70-8935; Filed, July 9, 1970; 3:08 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of State

Effective on publication in the FEDERAL REGISTER, § 213.3104(c) (4) having expired by its own terms, is revoked.

(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. 70-8867; Filed, July 10, 1970; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

National Foundation on the Arts and the Humanities

Section 213.3182 is amended to show that the Schedule A exceptions of the following positions are extended for 1 year, until June 30, 1971; Director of State and Community Operations (when filled at GS-15 or below), seven Program Directors, and four Project Evaluators in the National Endowment for the Arts; and in the National Endowment for the Humanities, Director of Planning and Analysis (when filled at GS-15 or below) and one Assistant to the Director, Director of Division of Fellowships and Stipends and his Program Officer, Director of Division of Research and Publications and his Program Officer, Director of Division of Education Programs and one Program Officer, one Program Officer in the Division of Public Programs, and one Special Assistant to the Chairman. Section 213.3182 is also amended to show that the following positions are added to Schedule A until June 30, 1971: Two Assistant Directors for State and Community Operations, one Arts Program Director, and one Assistant Director for Museums in the National Endowment for the Arts; and in the National Endowment for the Humanities, the Director of Division of Public Programs and one Program Officer in the Division of Education Programs. Further, the Schedule A exception for the position of Director of Division of Planning and Analysis in the National Endowment for the Arts is permitted to

expire by its own terms on June 30, 1970. Effective on publication in the FEDERAL REGISTER, paragraphs (a) and (b) of § 213.3182 are amended and subparagraph (5) of paragraph (a) is revoked, as set out below.

§ 213.3182 National Foundation on the Arts and the Humanities.

(a) *National Endowment for the Arts.* * * *

(2) Until June 30, 1971, Director of State and Community Operations, when filled at GS-15 or below.

(3) Until June 30, 1971, eight Program Directors.

* * * * *

(5) [Revoked]

* * * * *

(11) Until June 30, 1971, four Project Evaluators.

(12) Until June 30, 1971, one Assistant Director for Museums.

(13) Until June 30, 1971, two Assistant Directors for State and Community Operations.

(b) *National Endowment for the Humanities.* * * *

(3) Until June 30, 1971, Director of Planning and Analysis, when filled at GS-15 or below.

(4) Until June 30, 1971, Director, Division of Fellowships and Stipends.

(5) Until June 30, 1971, Director, Division of Research and Publications.

(6) Until June 30, 1971, one Special Assistant to the Chairman.

(7) Until June 30, 1971, two Program Officers, Division of Education Programs.

(8) Until June 30, 1971, Program Officer, Division of Fellowships and Stipends.

(9) Until June 30, 1971, Program Officer, Division of Research and Publications.

(10) Until June 30, 1971, one Assistant to the Director of Planning and Analysis.

(11) Until June 30, 1971, Director, Division of Education Programs.

(12) Until June 30, 1971, Program Officer, Division of Public Programs.

(13) Until June 30, 1971, Director, Division of Public Programs.

(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. 70-8853; Filed, July 10, 1970; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 6]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1970

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act". The purpose of this amendment to Sugar Regulation 811 (34 F.R. 19901) as amended, is to revise the determination of sugar requirements for the calendar year 1970 and establish quotas, proration and direct-consumption limits consistent with such requirements.

Section 201 of the Act requires that the Secretary shall revise the determination of sugar requirements at such time during the calendar year as may be necessary.

Sales of refined sugar in the United States during June continued at the accelerated rate which had marked the earlier months of the year. Quota sugar from several countries has been slow to arrive this year. This development has made it desirable to increase total requirements at this time of peak demand in order to raise the quotas of countries with readily available sugar which they are willing to offer for immediate shipment. This action will also encourage other countries to expedite their shipments in order to avoid having so much of their sugar arrive in this country during the closing months of the year when the demand for offshore raw sugar will have abated. This action will also provide ample time for any country to notify the Department before August 1 in the event it cannot fill its larger quota, including deficit proration.

Accordingly, total sugar requirements for the calendar year 1970 are herein increased 400,000 short tons, raw value, to a total of 11,600,000 short tons, raw value.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby

amended by amending §§ 811.80, 811.81, and 811.83 as follows:

1. Section 811.80 is amended to read as follows:

§ 811.80 Sugar requirements, 1970.

The amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1970 is hereby determined to be 11,600,000 short tons, raw value.

2. Section 811.81 is amended by amending subparagraph (1) of paragraph (a) to read as follows:

§ 811.81 Quotas for domestic areas.

(a) (1) For the calendar year 1970 domestic area quotas limiting the quantities of sugar which may be brought into or marketed for consumption in the continental United States are established, pursuant to section 202(a) of the Act, in column (1) and the amounts of such quotas for offshore areas that may be filled by direct-consumption sugar are established, pursuant to section 207 of the Act, in column (2) as follows:

Countries	Basic quotas	Temporary quotas and prorrations pursuant to sec. 202(d) 1	Previous deficit prorrations	Total quotas and prorrations
Mexico.....	251,468	275,491	100,108	627,067
Dominican Republic.....	245,938	269,433	106,709	622,080
Brazil.....	245,938	269,433	106,709	622,080
Peru.....	196,164	214,904	85,112	496,180
British West Indies.....	98,245	75,297	37,628	211,170
Ecuador.....	35,785	39,202	15,526	90,513
French West Indies.....	30,905	23,685	11,837	66,427
Argentina.....	30,254	33,144	13,127	76,525
Costa Rica.....	28,953	31,719	12,562	73,234
Nicaragua.....	28,953	31,719	12,562	73,234
Colombia.....	26,025	28,512	11,292	65,829
Guatemala.....	24,398	26,729	10,587	61,714
Panama.....	18,218	19,959	7,903	46,080
El Salvador.....	17,892	19,601	7,763	45,256
Haiti.....	13,663	14,968	5,928	34,559
Venezuela.....	12,362	13,542	5,364	31,268
British Honduras.....	7,157	5,485	2,741	15,383
Bolivia.....	2,928	3,208	1,271	7,407
Honduras.....	2,928	3,208	1,271	7,407
Australia.....	117,113	89,157	.....	206,270
Republic of China.....	48,797	37,149	.....	85,946
India.....	46,845	35,663	.....	82,508
South Africa.....	34,483	26,252	.....	60,735
Fiji Islands.....	25,700	19,565	.....	45,265
Thailand.....	10,736	8,173	.....	18,909
Mauritius.....	10,736	8,173	.....	18,909
Malagasy Republic.....	5,530	4,210	.....	9,740
Swaziland.....	4,229	3,219	.....	7,448
Ireland.....	5,351	.....	.....	5,351
Bahamas.....	10,000	.....	.....	10,000
Total.....	1,637,694	1,630,800	565,000	3,833,494

1 Prorrations of the quotas withheld from Cuba and Southern Rhodesia.

(Secs. 201, 202, 403; 61 Stat. 923, as amended, 924, as amended, 932; 7 U.S.C. 1111, 1112, 1153)

Effective date. This action increases quotas for the calendar year 1970 by 400,000 tons. In order to promote orderly marketing, it is essential that this amendment be effective immediately so that all persons selling and purchasing sugar for consumption in the continental United States can promptly plan and market under the changed marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective

Area	Quotas	Direct-consumption limits
	(1)	(2)
Domestic beet sugar.....	(Short tons, raw value) 3,597,000	No limit
Mainland cane sugar.....	1,308,000	No limit
Hawaii.....	1,145,486	39,672
Puerto Rico.....	1,140,000	174,000
Virgin Islands.....	15,000	0

4. Section 811.83 is amended by amending paragraph (c) to read as follows:

§ 811.83 Quotas for foreign countries.

(c) For the calendar year 1970, the prorrations to individual foreign countries other than the Republic of the Philippines pursuant to section 202 of the Act shown in column (1) and (2) of the following table. Deficit prorrations previously established in Amendment 5 of § 811.83 are shown in column (3). Total quotas and prorrations are shown in column (4).

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

[Valencia Orange Reg. 320, Amdt. 1]

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

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby 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 thereof 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 restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b)(1) (i), and (ii) of § 908.620 (Valencia Orange Reg. 320, 35 F.R. 10739) are hereby amended to read as follows:

§ 908.620 Valencia Orange Regulation 320.

- (b) **Order.** (1) * * *
- (i) District 1: 225,000 cartons;
- (ii) District 2: 275,000 cartons.

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

Dated: July 8, 1970.

KENNETH E. FRICK,
Administrator, Agricultural Sta-
bilization and Conservation
Service.

[F.R. Doc. 70-8807; Filed, July 10, 1970;
8:45 a.m.]

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

[F.R. Doc. 70-8884; Filed, July 10, 1970;
8:51 a.m.]

[Lemon Reg. 435]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.735 Lemon Regulation 435.

(a) *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.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 7, 1970.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period July 12, 1970, through July 18, 1970, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 279,000 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: July 9, 1970.

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

[F.R. Doc. 70-8916; Filed, July 10, 1970; 8:52 a.m.]

PART 916—NECTARINES GROWN IN CALIFORNIA

Expenses and Rate of Assessment

On June 23, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 10226) regarding proposed expenses and the proposed rate of assessment for the period March 1, 1970, through February 28, 1971, and the carryover of unexpended funds, pursuant to the marketing agreement, as amended, and Order No. 916, as amended (7 CFR Part 916), regulating the handling of nectarines grown in California. 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 relevant matters presented, including the proposals set forth in such notice which were submitted by the Nectarine Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 916.209 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Nectarine Administrative Committee during the period March 1, 1970, through February 28, 1971, will amount to \$295,184.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 916.41, is fixed at \$0.05 per No. 22D standard lug box of nectarines, or equivalent quantity of nectarines in other containers or in bulk.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal period ended February 28, 1970, shall be carried over as a reserve in accordance with the applicable provisions of § 916.42 of said marketing agreement and order.

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 nectarines grown in California 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 nectarines handled during the aforesaid period; and (3) such period began on March 1,

1970, and said rate of assessment will automatically apply to all such nectarines beginning with such date.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order, and "No. 22D standard lug box" shall have the same meaning as set forth in section 43601 of the Agricultural Code of California.

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

Dated: July 7, 1970.

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

[F.R. Doc. 70-8843; Filed, July 10, 1970; 8:47 a.m.]

[958.315]

PART 958—ONIONS GROWN IN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREG.

Limitation of Shipments

Notice of rule making regarding a proposed limitation of shipments, to be effective under Marketing Agreement No. 130 and Order No. 958, both as amended (7 CFR Part 958), regulating the handling of onions grown in the production area defined therein, was published in the June 23, 1970, issue of the FEDERAL REGISTER (35 F.R. 10226). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file data, views, or arguments pertaining thereto not later than 10 days following its publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice which was recommended by the Idaho-Eastern Oregon Onion Committee, established pursuant to the said marketing agreement and order, it is hereby found that the limitation of shipments regulation, hereinafter set forth, will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of 1970 crop early transplant onions grown in the production area will begin on or about July 15, (2) to maximize benefits to producers, this regulation should be made effective by July 15 to prevent immature onions from being distributed, (3) this regulation will not require any special preparation by handlers which cannot be completed by such time, and (4) notice of the proposed regulation has been given to producers and handlers of onions in the production area and such notice was also published in the FEDERAL REGISTER of June 23, 1970.

§ 958.315 Limitation of shipments.

(a) During the period July 15 through August 31, 1970, no person may handle any lot of yellow or white varieties of onions unless such onions are at least "moderately cured." The term "moderately cured" means the onions are mature and are definitely fairly well cured but they need not be completely dry.

(b) Other terms used in this section have the same meaning as used in Marketing Agreement No. 130 and this part.

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

Dated: July 8, 1970, to become effective July 15, 1970.

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

[F.R. Doc. 70-8885; Filed, July 10, 1970;
8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 and Subsequent Crops Barley Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 and Subsequent Crops Barley Loan and Purchase Program

The general Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1970 and subsequent crops of barley by adding §§ 1421.50-1421.58 to read as herein stated. The material previously appearing in §§ 1421.2261-1421.2271 remains in full force and effect as to the 1966 through 1969 crops of barley.

Sec.

1421.50	Purpose.
1421.51	Eligible barley.
1421.52	Determination of quality.
1421.53	Determination of quantity.
1421.54	Warehouse receipts.
1421.55	Fees and charges.
1421.56	Warehouse charges.
1421.57	Maturity of loans.
1421.58	Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421.1441.

§ 1421.50 Purpose.

This supplement contains program provisions which, together with the General Regulations Governing Price Support for the 1970 and Subsequent Crops and any amendments thereto or revisions thereof (such regulations are referred to in this subpart as "General Regulations"), and the annual crop year supplement issued with respect to the crop of barley for which price support

is being requested, apply to price support loans and purchases for the 1970 and subsequent crops of barley.

§ 1421.51 Eligible barley.

(a) *General.* To be eligible for a loan or purchase, the barley must be merchantable for food or feed or for other uses, as determined by CCC, and must not contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse stored loan grade requirements.* To be eligible for a warehouse storage loan, the barley must also meet the following requirements:

(1) The barley must grade No. 5 or better, except that (i) the barley may grade "Sample" on the factor of total damage (except heat damage), (ii) Western Barley shall have a test weight of not less than 36 pounds per bushel, and (iii) the barley may have the following special grade designations: "Garlicky" and in the State of Alaska only, "Tough".

(2) The barley must not grade Blighted, Bleached, Ergoty, Smutty, or if Western Barley, Stained.

(3) Barley which grades "Weevily" is not eligible unless the warehouse receipt issued for such barley is accompanied by a supplemental certificate which provides for the delivery by the warehouseman of barley which does not grade "Weevily" and which is otherwise of an eligible grade and quality. When the warehouse receipt shows "Weevily", the grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.54(c).

(4) Barley which contains in excess of 14.5 (13.5 if Western Barley) percent moisture is not eligible unless the warehouse receipt issued for such barley is accompanied by a supplemental certificate which provides for the delivery by the warehouseman of barley containing not over 14.5 (13.5 if Western Barley) percent moisture which is otherwise of an eligible grade and quality. The grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.54(c). This subparagraph shall not apply to barley produced in the State of Alaska.

§ 1421.52 Determination of quality.

The class, grade, grading factors, and all other quality factors shall be based on the Official Grain Standards of the United States for Barley, whether or not such determinations are made on the basis of an official inspection.

§ 1421.53 Determination of quantity.

When the quantity is determined by weight, a bushel shall be 48 pounds of barley free of dockage.

(a) *In warehouse.* The quantity of barley on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the barley has been dried or blended to reduce the moisture content, the quantity specified on the ware-

house receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight excluding dockage of 1.2 times the percentage difference between the moisture content of the barley, when received, and 14.5 (13.5 if Western Barley) percent.

(b) *On farm.* The quantity of barley eligible to be placed under a farm storage loan shall be determined in accordance with § 1421.18. The quantity acquired by CCC from farm storage under a loan or purchase shall be determined by weight.

§ 1421.54 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade and class of barley.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt must show: (1) Gross weight and net bushels, (2) class, (3) grade (including special grades), (4) test weight, (5) moisture content if above 14.5 (13.5 if Western Barley) percent, (6) dockage, (7) any other grading factor(s) when such factor(s) and not test weight determine the grade, (8) whether the barley arrived by rail, truck, or barge, (9) the date the barley was received or deposited in the warehouse.

(c) *Where warehouse receipt shows "Weevily", excess moisture, or both.* If a warehouse receipt tendered as security for a loan indicates the barley grades "Weevily" or contains over 14.5 (13.5 if Western Barley) percent moisture, or both, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.51(b) (3) and (4) in order for the barley to be eligible for price support. The grade, grading factors, and the quantity to be delivered must be shown on the supplemental certificate as follows: (1) When the warehouse receipts shows "Weevily" and the barley has been conditioned to correct the "Weevily" condition, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt, (2) when the warehouse receipt shows a moisture content of over 14.5 (13.5 if Western Barley) percent and the barley has been dried or blended, the supplemental certificate must show the grade, grading factors, and quantity after drying or blending the barley to a moisture content of not over 14.5 (13.5 if Western Barley) percent which shall reflect a drying or blending shrink as specified in § 1421.53 (a), (3) the supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt, (4) in the case of conditions specified in subparagraphs (1) and (2) of this paragraph, the grade, grading factors, and the quantity shown on the

supplemental certificate shall supersede the entries for such items on the warehouse receipt.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.56.

(e) *Freight certificate requirements.* Warehouse receipts representing barley which has been shipped by rail, or by barge utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission, from a country shipping point to a designated terminal point or to a storage point and stored intransit to a designated terminal point, must be accompanied by supplemental certificates. These certificates must be representative as to origin and date of movement of the barley and must reflect the rate of freight paid into the storage point and the amount of penalty, if any, for out-of-line haul. The form of the certificates will be prescribed by the ASCS commodity office and shall be signed by the warehouseman.

§ 1421.55 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.11.

§ 1421.56 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the barley represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement (hereinafter called "UGSA") may be subject to liens for warehouse handling and storage charges at not to exceed the UGSA rates from the date the barley is deposited in the warehouse for storage. Warehouse receipts and the barley represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the barley when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges UGSA warehouses.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of barley stored in an approved warehouse operated under the UGSA. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all the warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the beginning date to be used for computing the storage deduction on barley stored in warehouses operating under the UGSA shall be the latest of the following: (1) The date the barley was received or deposited in the warehouse, (2) the date storage

charges start, or (3) the day following the date through which storage charges have been paid.

(c) *Deduction of storage charges—eastern common carriers.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of barley stored in an approved warehouse operated by an eastern common carrier. Such deduction shall be based on entries shown on the warehouseman's supplemental certificate and delivery order. If written evidence is submitted with the supplemental certificate and delivery order that all warehouse charges except elevation charges have been prepaid through the applicable loan maturity date, no storage deduction shall be made. Where the producer presents evidence showing that the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges set forth in the table in the annual crop year supplement.

§ 1421.57 Maturity of loans.

Loans mature on demand but not later than the date specified in the annual crop year supplement to the regulations in this subpart.

§ 1421.58 Support rates.

Basic county support rates for barley and the schedule of discounts will be set forth in the annual crop year supplement to the regulations contained in this subpart. Farm-stored barley loans will be made at the applicable basic county support rate adjusted only for the Weed Control discount where applicable. The support rate for warehouse-storage loans and for barley acquired under a loan or by purchase shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and the discounts in the annual crop year supplement on the basis of quality factors on warehouse receipts or supplemental certificates in the case of barley stored in or delivered to an approved warehouse or on such other form as CCC may prescribe in the case of barley delivered to other than an approved warehouse. Settlement of loans and purchases shall be made in accordance with the provisions of § 1421.23.

(a) *Basic support rates for farm-stored barley.* The applicable basic support rate for farm-storage loans shall be the basic county support rate established for the county in which the barley is stored.

(b) *Basic support rates for warehouse-stored barley received by rail or utilizing combination barge-rail rates—*(1) *When shipped by rail and stored intransit at interior locations.* The applicable basic support rate for warehouse-storage loans on barley which was received by rail and stored in an approved warehouse at other than a port terminal market shall be determined by adding to the basic support rate established for the county from which the barley was shipped, the amount of freight charges per bushel

actually paid in and an amount equal to the truck receiving and rail loading-out charges computed in accordance with the applicable rates of the UGSA in effect at the time the loan is made. The freight rate paid into the storage point shall be the lowest rate which will permit the storage intransit privilege and protect the lowest single car rate applying from origin through point of storage to a terminal market designated in paragraph (c) (2) of this section that would be used in commercial channels of trade. If the barley is stored in an approved warehouse at a transit point which takes a penalty by reason of backhaul or out-of-line movement when destined to a designated terminal market that would be used in commercial channels of trade, such penalty or cost by reason of such movement shall be deducted from the support rates as determined in this paragraph.

(2) *When shipped by rail and stored at designated port terminal market locations.* The applicable basic support rate for warehouse storage loans on barley which was received by rail and stored in an approved warehouse at a port terminal market designated in paragraph (c) (2) (iii) of this section shall be determined by adding to the basic support rate established for the county from which the barley was shipped, the amount of freight charges per bushel actually paid in and an amount equal to the truck receiving and rail loading-out charges computed in accordance with the applicable rates of the UGSA in effect at the time the loan is made. The freight rate paid into the storage point shall be the lowest applicable freight rate to the port terminal market that would be used in commercial channels of trade.

(3) *When shipped utilizing combination barge-rail rates.* The applicable basic support rate for warehouse storage loans on barley which was shipped utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission and stored in an approved warehouse shall be determined by adding to the basic support rate established for the county from which the barley was shipped, the amount of freight charges per bushel actually paid in and an amount equal to the truck receiving and rail loading-out charges computed in accordance with the applicable rates of the UGSA in effect at the time the loan is made. The freight rate paid into the storage point shall be a rate which will permit the storage intransit privilege and protect the lowest single car, or barge freight rate applying from origin through point of storage to one of the interior or port terminal markets designated in paragraph (c) (2) of this section that would be used in commercial channels of trade. If the barley is stored in an approved warehouse at a transit point which takes a penalty by reason of backhaul or out-of-line movement when destined to the designated interior or port terminal market that would be used in commercial channels of trade, such penalty or cost by reason of such movement shall be deducted from

the support rates as determined in this paragraph.

(c) *Basic support rates for warehouse-stored barley received by truck or nontariff barge*—(1) *Stored at other than terminal markets.* (i) The applicable basic support rate for warehouse-storage loans on barley which was received by truck, or by barge not utilizing combination barge-rail freight rates, and stored in an approved warehouse located outside the switching limits of terminal markets designated in subparagraph 2 of this paragraph shall be the basic county support rate established for the county in which the barley is stored.

(ii) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities which have the same freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic county support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

(2) *Stored within the switching limits of designated terminal markets.* (i) The applicable basic county support rate for warehouse-storage loans on barley which was received by truck, or by barge not utilizing combination barge-rail freight rates, and stored in an approved warehouse located within the switching limits of a terminal market designated in subdivision (ii) or (iii) of this subparagraph shall be determined by adding 4 cents per bushel to the basic county support rate scheduled for the county (or city) in which the terminal market is located.

(ii) Designated interior terminal markets are as follows:

Interior terminal markets:	County in which located
Atchison, Kan.....	Atchison.
Cairo, Ill.....	Alexander.
Chicago, Ill.....	Cook.
Council Bluffs, Iowa.....	Pottawattamie.
East St. Louis, Ill.....	St. Clair.
Kansas City, Kan.....	Wyandotte.
Kansas City, Mo.....	Jackson.
Memphis, Tenn.....	Shelby.
Milwaukee, Wis.....	Milwaukee.
Minneapolis, Minn.....	Hennepin.
Omaha, Nebr.....	Douglas.
St. Joseph, Mo.....	Buchanan.
St. Louis, Mo.....	St. Louis.
St. Paul, Minn.....	Ramsey.
Sioux City, Iowa.....	Woodbury.

(iii) Designated port terminal markets are as follows:

Port terminal markets:	County or city in which located
Albany, N.Y.....	Albany.
Ama, La.....	St. Charles.
Astoria, Oreg.....	Clatsop.
Baltimore, Md.....	Baltimore City.
Baton Rouge, La.....	East Baton Rouge.
Beaumont, Tex.....	Jefferson.
Charleston, S.C.....	Charleston.
Corpus Christi, Tex.....	Nueces.

Port terminal markets:	County or city in which located
Destrahan, La.....	St. Charles.
Duluth, Minn.....	St. Louis.
Galveston, Tex.....	Galveston.
Houston, Tex.....	Harris.
Kalama, Wash.....	Cowlitz.
Long Beach, Calif.....	Los Angeles.
Longview, Wash.....	Cowlitz.
Los Angeles, Calif.....	Los Angeles.
New Orleans, La.....	Orleans.
New York, N.Y.....	New York City.
Norfolk, Va.....	Chesapeake (Norfolk).
Oakland, Calif.....	Alameda.
Philadelphia, Pa.....	Philadelphia City.
Port Allen, La.....	West Baton Rouge.
Port Arthur, Tex.....	Jefferson.
Portland, Oreg.....	Multnomah.
Sacramento, Calif.....	Sacramento.
San Diego, Calif.....	San Diego.
San Francisco, Calif.....	San Francisco City.
Seattle, Wash.....	King.
Stockton, Calif.....	San Joaquin.
Superior, Wis.....	Douglas.
Tacoma, Wash.....	Pierce.
Vancouver, Wash.....	Clark.
Westwego, La.....	Jefferson.
Wilmington, Calif.....	Los Angeles.

(d) *Storing warehouseman's responsibilities.* The storing warehouseman in the case of barley received by rail or utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission shall be responsible for determining the in-line routes via the storing warehouse that will protect the lowest freight rate to the designated interior or port terminal market designated in paragraph (c) (2) (ii) or (iii) of this section, whichever the case may be, that would be used in commercial channels of trade, and for protecting such routes. The storing warehouseman shall also execute supplemental certificates showing (1) the rate of freight paid into the storage point, (2) amount of penalty, if any, for backhaul or out-of-line penalty, (3) the applicable interior or port terminal market that would be used in commercial channels of trade and (4) any other information which may be prescribed by CCC. The warehouseman is responsible to CCC for the accuracy or omissions of information on the supplemental certificate. His liability, if any, for his failure to comply with the provisions of this paragraph (d) will be determined in accordance with the provisions of the UGSA after acquisition of the warehouse receipt by CCC.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 2, 1970.

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

[F.R. Doc 70-8808; Filed, July 10, 1970; 8:45 a.m.]

[CCC Grain Price Support Regs., 1970 Crop Barley Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 Crop Barley Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops, published at 35 F.R. 7363, and any amendments thereto, and the 1970 and Subsequent Crops Barley Loan and Purchase Program regulations, published at 35 F.R. 11166, and any amendments to such regulations, are further supplemented for the 1970 crop of barley by adding §§ 1421.72–1421.76 to read as herein stated. The material previously appearing in §§ 1421.2275–1421.2288 remains in full force and effect as to the 1966 through 1969 crops of barley.

Sec.	
1421.72	Availability.
1421.73	Compliance requirements.
1421.74	Warehouse charges.
1421.75	Maturity of loans.
1421.76	Support rates and discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.72 Availability.

A producer desiring a price support loan must request a loan on his eligible barley on or before April 30, 1971, on barley stored in Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming, and on or before March 31, 1971, on barley stored in all other States. To obtain price support through sales, a producer must execute and deliver to the appropriate county ASCS office a Purchase Agreement (Form CCC-614), indicating the approximate quantity of 1970 crop barley he will sell to CCC, on or before May 31, 1971, for barley stored in the States named in this section and on or before April 30, 1971, for barley stored in all other States.

§ 1421.73 Compliance requirements.

To be eligible for a loan or purchase, a producer must qualify for a price support payment under the 1966-70 Feed Grain Program Regulations (31 F.R. 8339), and any amendments thereto, on barley of the 1970 crop produced on the farm on which the barley tendered for loan or purchase was produced except that such qualification is not necessary with respect to barley produced in Alaska or in any other area of the United States in which the feed grain program is not in effect.

§ 1421.74 Warehouse charges.

Subject to the provisions of § 1421.56, the schedules of deductions set forth in this section shall apply to barley stored

in an approved warehouse operating under the Uniform Grain Storage Agreement and operated by an Eastern common carrier.

(a) *Warehouses approved under the Uniform Grain Storage Agreement.*

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES BY MATURITY DATES

Maturity date of Apr. 30, 1971	Deduction (cents per bushel)	Maturity date of May 31, 1971
Prior to May 16, 1970.....	23	Prior to June 16, 1970.....
May 16-June 12.....	12	June 16-July 13.....
June 13-July 10.....	11	July 14-Aug. 10.....
July 11-Aug. 7.....	10	Aug. 11-Sept. 7.....
Aug. 8-Sept. 4.....	9	Sept. 8-Oct. 5.....
Sept. 5-Oct. 2.....	8	Oct. 6-Nov. 2.....
Oct. 3-Oct. 30.....	7	Nov. 3-Nov. 30.....
Oct. 31-Nov. 27.....	6	Dec. 1-Dec. 28.....
Nov. 28-Dec. 25.....	5	Dec. 29, 1970-Jan. 25, 1971.....
Dec. 26, 1970-Jan. 22, 1971.....	4	Jan. 26-Feb. 22.....
Jan. 23-Feb. 19.....	3	Feb. 23-Mar. 22.....
Feb. 20-Mar. 19.....	2	Mar. 23-Apr. 19.....
Mar. 20-Apr. 30, 1971.....	1	Apr. 20-May 31, 1971.....

(1) Prior to May 16, 1970..... 23
 (1) Prior to June 16, 1970.....

May 16-June 12..... 12
 June 13-July 10..... 11
 July 11-Aug. 7..... 10
 Aug. 8-Sept. 4..... 9
 Sept. 5-Oct. 2..... 8
 Oct. 3-Oct. 30..... 7
 Oct. 31-Nov. 27..... 6
 Nov. 28-Dec. 25..... 5

Dec. 26, 1970-Jan. 22, 1971..... 4
 Jan. 23-Feb. 19..... 3
 Feb. 20-Mar. 19..... 2
 Mar. 20-Apr. 30, 1971..... 1

¹ Date storage charges start, all dates inclusive.

(b) *Warehouses operated by eastern common carriers.* (1) Eligible barley stored in the following approved eastern common carrier warehouse may be placed under loan or offered for sale to CCC: Pennsylvania Railroad Co., Canton Elevator, Warehouse Code 9-2151, Baltimore, Md.

(2) Schedule of deductions for storage charges:

Maturity date of Apr. 30, 1971:	Deduction (cents per bushel)
Prior to June 25, 1970.....	16
June 25-July 14, 1970.....	15
July 15-Aug. 3, 1970.....	14
Aug. 4-Aug. 23, 1970.....	13
Aug. 24-Sept. 12, 1970.....	12
Sept. 13-Oct. 2, 1970.....	11
Oct. 3-Oct. 22, 1970.....	10
Oct. 23-Nov. 11, 1970.....	9
Nov. 12-Dec. 1, 1970.....	8
Dec. 2-Dec. 21, 1970.....	7
Dec. 22, 1970-Jan. 10, 1971.....	6
Jan. 11-Jan. 30, 1971.....	5
Jan. 31-Feb. 19, 1971.....	4
Feb. 20-Mar. 11, 1971.....	3
Mar. 12-Mar. 31, 1971.....	2
Apr. 1-Apr. 30, 1971.....	1

¹ Storage commence date, all dates inclusive.

² If producer presents evidence that elevation charges were prepaid, the storage deduction shall be reduced by 2½ cents per bushel.

§ 1421.75 Maturity of loans.

Loans mature on demand but not later than: May 31, 1971, on barley stored in the States of Alaska, Idaho, Minnesota, Montana, North Dakota, South Dakota, Oregon, Washington, Wisconsin, and Wyoming and April 30, 1971, on barley stored in all other States.

§ 1421.76 Support rates and discounts.

(a) *Basic support rates (counties).* Basic county support rates (marketing area rates in Alaska) for loan and settlement purposes are established for barley

grading No. 2 or better and are as follows:

ALABAMA
 All counties..... \$0.84

ALASKA

County	Rate per bushel	County	Rate per bushel
Delta.....	\$0.96	Kenai-Sold.....	\$1.08
Fairbanks.....	.93	Palmer.....	1.14
Glenallen.....	1.04	Takeetna.....	1.14
Homer.....	1.00		

ARIZONA

Apache.....	\$0.76	Mohave.....	\$0.81
Cochise.....	.89	Navajo.....	.76
Cocconino.....	.76	Pima.....	.92
Gila.....	.76	Pinal.....	.95
Graham.....	.81	Santa Cruz.....	.81
Greenlee.....	.76	Yavapai.....	.76
Maricopa.....	.94	Yuma.....	.96

ARKANSAS

Arkansas.....	\$0.87	Lawrence.....	\$0.86
Ashley.....	.84	Lee.....	.90
Baxter.....	.80	Lincoln.....	.86
Benton.....	.80	Little River.....	.76
Boone.....	.80	Logan.....	.76
Bradley.....	.77	Lonoce.....	.87
Calhoun.....	.78	Madison.....	.77
Carroll.....	.80	Marion.....	.80
Chicot.....	.85	Miller.....	.76
Clark.....	.78	Mississippi.....	.90
Clay.....	.87	Monroe.....	.89
Cleburne.....	.87	Montgomery.....	.76
Cleveland.....	.86	Nevada.....	.76
Columbia.....	.76	Newton.....	.77
Conway.....	.85	Ouachita.....	.77
Craighead.....	.90	Perry.....	.78
Crawford.....	.75	Phillips.....	.89
Crittenden.....	.91	Pike.....	.76
Cross.....	.91	Poinsett.....	.91
Dallas.....	.79	Polk.....	.73
Desha.....	.87	Pope.....	.77
Drew.....	.85	Prairie.....	.88
Faukner.....	.86	Pulaski.....	.86
Franklin.....	.76	Randolph.....	.86
Fulton.....	.82	St. Francis.....	.91
Garland.....	.78	Saline.....	.81
Grant.....	.79	Scott.....	.73
Greene.....	.89	Searcy.....	.77
Hempstead.....	.76	Sebastian.....	.75
Hot Spring.....	.79	Sevier.....	.74
Howard.....	.76	Sharp.....	.83
Independence.....	.84	Stone.....	.80
Izard.....	.80	Union.....	.76
Jackson.....	.87	Van Buren.....	.85
Jefferson.....	.86	Washington.....	.77
Johnson.....	.76	White.....	.88
Lafayette.....	.76	Woodruff.....	.89
		Yell.....	.77

CALIFORNIA

Alameda.....	\$1.07	Monterey.....	\$0.99
Alpine.....	.92	Napa.....	1.01
Amador.....	1.04	Orange.....	1.07
Butte.....	.99	Placer.....	1.01
Calaveras.....	1.04	Plumas.....	.92
Colusa.....	1.01	Riverside.....	1.02
Contra Costa.....	1.04	Sacramento.....	1.07
El Dorado.....	1.04	San Benito.....	1.00
Fresno.....	1.00	San Bernardino.....	1.02
Glen.....	1.00	San Diego.....	1.07
Humboldt.....	.90	San Francisco.....	1.07
Imperial.....	1.02	Santa Clara.....	1.02
Inyo.....	.90	Santa Cruz.....	1.01
Kern.....	1.02	Shasta.....	.90
Kings.....	1.00	Sierra.....	.90
Lake.....	.97	Siskiyou.....	.90
Lassen.....	.90		
Los Angeles.....	1.07		
Madera.....	1.02		
Marin.....	1.04		
Mariposa.....	1.02		
Mendocino.....	.93		
Merced.....	1.02		
Modoc.....	.90		

CALIFORNIA—Continued

County	Rate per bushel	County	Rate per bushel
Solano.....	\$1.04	Tulare.....	\$0.99
Sonoma.....	1.01	Tuolumne.....	1.02
Stanislaus.....	1.04	Ventura.....	1.02
Sutter.....	1.01	Yolo.....	1.04
Tehama.....	.95	Yuba.....	1.01

COLORADO

Adams.....	\$0.79	Kit Carson.....	\$0.79
Alamosa.....	.77	La Plata.....	.77
Arapahoe.....	.79	Larimer.....	.79
Archuleta.....	.77	Las Animas.....	.79
Baca.....	.79	Lincoln.....	.79
Bent.....	.79	Logan.....	.79
Boulder.....	.79	Mesa.....	.77
Chaffee.....	.77	Moffat.....	.77
Cheyenne.....	.79	Montezuma.....	.77
Conejos.....	.77	Montrose.....	.77
Costilla.....	.77	Morgan.....	.79
Crowley.....	.79	Otero.....	.79
Custer.....	.79	Ouray.....	.77
Delta.....	.77	Phillips.....	.79
Denver.....	.79	Pitkin.....	.77
Dolores.....	.77	Prowers.....	.79
Douglas.....	.79	Pueblo.....	.79
Eagle.....	.77	Rio Blanco.....	.77
Elbert.....	.79	Rio Grande.....	.77
El Paso.....	.79	Routt.....	.77
Fremont.....	.79	Saguache.....	.77
Garfield.....	.77	San Miguel.....	.77
Grand.....	.77	Sedgwick.....	.79
Huerfano.....	.79	Summit.....	.77
Jackson.....	.77	Washington.....	.79
Jefferson.....	.79	Weld.....	.79
Kiowa.....	.79	Yuma.....	.79

CONNECTICUT

All counties..... \$0.88

DELAWARE

All counties..... \$0.88

FLORIDA

All counties..... \$0.87

GEORGIA

All counties..... \$0.87

IDAHO

Ada.....	\$0.83	Gem.....	\$0.83
Adams.....	.83	Gooding.....	.83
Bannock.....	.82	Idaho.....	.89
Bear Lake.....	.81	Jefferson.....	.81
Benewah.....	.90	Jerome.....	.83
Bingham.....	.81	Kootenai.....	.89
Blaine.....	.82	Latah.....	.90
Boise.....	.83	Lemhi.....	.80
Bonner.....	.86	Lewis.....	.89
Bonneville.....	.81	Lincoln.....	.83
Boundary.....	.84	Madison.....	.81
Butte.....	.81	Minidoka.....	.83
Camas.....	.82	Nez Perce.....	.90
Canyon.....	.83	Oneida.....	.82
Caribou.....	.81	Owyhee.....	.83
Cassia.....	.83	Payette.....	.83
Clark.....	.81	Power.....	.82
Clearwater.....	.89	Shoshone.....	.77
Custer.....	.81	Teton.....	.81
Elmore.....	.83	Twin Falls.....	.83
Franklin.....	.82	Valley.....	.83
Fremont.....	.81	Washington.....	.83

ILLINOIS

Adams.....	\$0.84	Clay.....	\$0.84
Alexander.....	.91	Clinton.....	.87
Bond.....	.87	Coles.....	.85
Boone.....	.89	Cook.....	.91
Brown.....	.84	Crawford.....	.84
Bureau.....	.88	Cumberland.....	.85
Calhoun.....	.86	De Kalb.....	.89
Carroll.....	.86	De Witt.....	.86
Cass.....	.84	Douglas.....	.86
Champaign.....	.87	Du Page.....	.91
Christian.....	.85	Edgar.....	.85
Clark.....	.83	Edwards.....	.82

RULES AND REGULATIONS

ILLINOIS—Continued

County	Rate per bushel	County	Rate per bushel
Effingham	\$.85	Massac	\$.85
Fayette	.86	Menard	.85
Ford	.88	Mercer	.85
Franklin	.85	Monroe	.90
Fulton	.86	Montgomery	.87
Gallatin	.79	Morgan	.85
Greene	.86	Moultrie	.86
Grundy	.90	Ogle	.88
Hamilton	.82	Pecria	.87
Hancock	.83	Perry	.87
Hardin	.79	Piatt	.86
Henderson	.84	Pike	.85
Henry	.87	Pope	.82
Iroquois	.88	Pulaski	.88
Jackson	.87	Putnam	.88
Jasper	.85	Randolph	.87
Jefferson	.86	Richland	.82
Jersey	.87	Rock Island	.86
Jo Daviess	.85	St. Clair	.90
Johnson	.85	Saline	.82
Kane	.90	Sangamon	.85
Kankakee	.90	Shuyler	.84
Kendall	.90	Scott	.85
Knox	.86	Shelby	.86
Lake	.91	Stark	.88
La Salle	.89	Stephenson	.86
Lawrence	.81	Tazewell	.86
Lee	.88	Union	.88
Livingston	.88	Vermilion	.87
Logan	.86	Wabash	.81
McDonough	.84	Warren	.85
McHenry	.90	Washington	.87
McLean	.87	Wayne	.85
Macon	.86	White	.79
Maccoupin	.87	Whiteside	.87
Madison	.90	Will	.90
Marion	.86	Williamson	.84
Marshall	.88	Winnebago	.88
Mason	.84	Woodford	.87

INDIANA

Adams	\$.78	Lawrence	\$.79
Allen	.78	Madison	.79
Bartholomew	.76	Marion	.77
Benton	.83	Marshall	.81
Blackford	.80	Martin	.77
Boone	.78	Miami	.81
Brown	.76	Monroe	.81
Carroll	.82	Montgomery	.80
Cass	.82	Morgan	.76
Clark	.73	Newton	.87
Clay	.82	Noble	.79
Clinton	.81	Ohio	.73
Crawford	.84	Orange	.82
Daviess	.76	Owen	.76
Dearborn	.73	Parke	.79
Decatur	.75	Perry	.84
De Kalb	.79	Pike	.81
Delaware	.78	Porter	.85
Dubois	.85	Posey	.83
Elkhart	.81	Pulaski	.83
Fayette	.76	Putman	.78
Floyd	.83	Randolph	.79
Fountain	.79	Ripley	.73
Franklin	.74	Rush	.76
Fulton	.82	St. Joseph	.81
Gibson	.84	Scott	.73
Grant	.80	Shelby	.76
Greene	.76	Spencer	.84
Hamilton	.78	Starke	.82
Hancock	.78	Steuben	.78
Harrison	.83	Sullivan	.83
Hendricks	.78	Switzerland	.75
Henry	.79	Tippecanoe	.81
Howard	.81	Tipton	.80
Huntington	.79	Union	.76
Jackson	.75	Vanderburgh	.88
Jasper	.85	Vermillion	.84
Jay	.79	Vigo	.85
Jefferson	.73	Wabash	.81
Jennings	.74	Warren	.84
Johnson	.76	Warrick	.86
Knox	.80	Washington	.73
Kosciusko	.81	Wayne	.79
Lagrange	.79	Wells	.78
Lake	.88	White	.84
La Porte	.83	Whitley	.80

IOWA

County	Rate per bushel	County	Rate per bushel
Adair	\$.83	Jefferson	\$.79
Adams	.83	Johnson	.81
Allamakee	.86	Jones	.82
Appanoose	.78	Keokuk	.78
Aubudon	.83	Kossuth	.88
Benton	.79	Lee	.82
Black Hawk	.81	Linn	.80
Boone	.79	Louisa	.82
Bremer	.82	Lucas	.77
Buchanan	.82	Lyon	.82
Buena Vista	.84	Madison	.80
Butler	.82	Mahaska	.77
Calhoun	.82	Marion	.77
Carroll	.82	Marshall	.79
Cass	.85	Mills	.86
Cedar	.83	Mitchell	.88
Cerro Gordo	.85	Monona	.86
Cherokee	.84	Monroe	.78
Chickasaw	.85	Montgomery	.85
Clarke	.78	Muscatine	.83
Clay	.84	O'Brien	.84
Clayton	.83	Osceola	.84
Clinton	.84	Page	.84
Crawford	.84	Palo Alto	.85
Dallas	.79	Plymouth	.85
Davis	.79	Pocahontas	.83
Decatur	.79	Polk	.78
Delaware	.82	Pottawat-	
Des Moines	.82	tamle	.87
Dickinson	.87	Poweshiek	.78
Dubuque	.83	Ringgold	.80
Emmett	.83	Sac	.84
Fayette	.84	Scott	.83
Floyd	.85	Shelby	.85
Franklin	.82	Sioux	.83
Fremont	.84	Story	.79
Greene	.80	Tama	.79
Grundy	.81	Taylor	.82
Guthrie	.82	Union	.80
Hamilton	.82	Van Buren	.80
Hancock	.85	Wapello	.78
Hardin	.81	Warren	.78
Harrison	.86	Washington	.80
Henry	.81	Wayne	.78
Howard	.88	Webster	.82
Humboldt	.85	Winnebago	.88
Ida	.86	Winneshiek	.87
Iowa	.79	Woodbury	.87
Jackson	.84	Worth	.88
Jasper	.78	Wright	.82

KANSAS

Allen	\$.85	Greeley	\$.75
Anderson	.87	Greenwood	.84
Atchison	.88	Hamilton	.75
Barber	.80	Harper	.81
Barton	.80	Harvey	.82
Bourbon	.87	Haskell	.76
Brown	.87	Hodgeman	.79
Butler	.82	Jackson	.87
Chase	.83	Jefferson	.88
Chautaugua	.83	Jewell	.81
Cherokee	.85	Johnson	.88
Cheyenne	.77	Kearny	.75
Clark	.76	Kingman	.81
Clay	.83	Kiowa	.80
Cloud	.82	Labette	.85
Coffey	.86	Lane	.78
Comanche	.78	Leavenworth	.88
Cowley	.82	Lincoln	.81
Crawford	.86	Linn	.88
Decatur	.79	Logan	.76
Dickinson	.82	Lyon	.85
Doniphan	.87	McPherson	.81
Douglas	.88	Marion	.82
Edwards	.80	Marshall	.85
Elk	.83	Meade	.76
Ellis	.80	Miami	.88
Ellsworth	.81	Mitchell	.81
Finney	.76	Montgomery	.85
Ford	.78	Morris	.83
Franklin	.88	Morton	.73
Geary	.83	Nemaha	.85
Gove	.78	Neosho	.85
Graham	.79	Ness	.79
Grant	.75	Norton	.80
Gray	.77	Osage	.86

KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Osborne	\$.81	Seward	\$.75
Ottawa	.82	Shawnee	.87
Pawnee	.80	Sheridan	.79
Phillips	.80	Sherman	.77
Pottawatomie	.85	Smith	.81
Pratt	.80	Stafford	.80
Rawlins	.78	Stanton	.74
Reno	.81	Stevens	.75
Republic	.82	Sumner	.82
Rice	.81	Thomas	.78
Riley	.85	Trego	.79
Rooks	.80	Wabunsee	.85
Rush	.80	Wallace	.75
Russell	.80	Washington	.83
Saline	.81	Wichita	.76
Scott	.77	Wilson	.85
Sedgwick	.82	Woodson	.85
		Wyandotte	.88

KENTUCKY

All counties	\$.82
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LOUISIANA

Parish	Rate per bushel	Parish	Rate per bushel
East Baton Rouge	\$1.01	West Baton Rouge	\$1.01
Jefferson	1.01	All other parishes	.75
Orleans	1.01		
St. Charles	1.01		

MAINE

All counties	\$.88
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MARYLAND

Baltimore City	\$1.06	All other counties	\$.88
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MASSACHUSETTS

All counties	\$.88
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MICHIGAN

Alcona	\$.69	Lake	\$.74
Alger	.73	Lapeer	.76
Allegan	.78	Leelanau	.69
Alpena	.64	Lenawee	.77
Antrim	.67	Livingston	.77
Arenac	.73	Luce	.69
Baraga	.77	Mackinac	.69
Barry	.77	Macomb	.76
Bay	.74	Manistee	.73
Benzie	.71	Marquette	.75
Berrien	.82	Mason	.74
Branch	.78	Mecosta	.75
Calhoun	.81	Memominee	.76
Cass	.81	Midland	.74
Charlevoix	.62	Missaukee	.73
Cheboygan	.62	Monroe	.77
Chippewa	.69	Montcalm	.74
Clare	.74	Montmorency	.68
Clinton	.76	Muskegon	.74
Crawford	.70	Newaygo	.73
Delta	.74	Oakland	.78
Dickinson	.77	Oceana	.74
Eaton	.77	Ogemaw	.72
Emmet	.65	Ontonagon	.78
Genesee	.76	Osceola	.74
Gladwin	.74	Oscoda	.70
Geogebic	.81	Otsego	.68
Grand Traverse	.70	Ottawa	.77
Gratiot	.76	Presque Isle	.62
Hillsdale	.79	Roscommon	.72
Houghton	.76	Saginaw	.76
Huron	.73	St. Clair	.75
Ingham	.77	St. Joseph	.80
Ionla	.76	Sanilac	.73
Iosco	.71	Schoolcraft	.72
Iron	.78	Shiawassee	.77
Isabella	.74	Tuscola	.73
Jackson	.81	Van Buren	.80
Kalamazoo	.82	Washtenaw	.79
Kalkaska	.70	Wayne	.79
Kent	.76	Wexford	.73
Keweenaw	.75		

RULES AND REGULATIONS

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MINNESOTA

County	Rate per bushel	County	Rate per bushel
Aitkin	\$0.89	Martin	\$0.90
Anoka	.92	Meeker	.91
Becker	.81	Mille Lacs	.90
Beltrami	.83	Morrison	.87
Benton	.89	Mower	.90
Big Stone	.86	Murray	.88
Blue Earth	.91	Nicollet	.91
Brown	.90	Nobles	.87
Carlton	.92	Norman	.79
Carver	.92	Olmsted	.91
Cass	.85	Otter Tail	.83
Chippewa	.89	Pennington	.78
Chisago	.91	Pine	.92
Clay	.80	Pipestone	.86
Clearwater	.80	Polk	.79
Cottonwood	.89	Pope	.87
Crow Wing	.86	Ramsey	.92
Dakota	.92	Red Lake	.79
Dodge	.91	Redwood	.90
Douglas	.85	Renville	.91
Fairbault	.90	Rice	.91
Fillmore	.89	Rock	.84
Freeborn	.90	Roseau	.78
Goodhue	.91	St. Louis	.92
Grant	.83	Scott	.92
Hennepin	.92	Sherburne	.91
Houston	.88	Sibley	.91
Hubbard	.83	Stearns	.89
Isanti	.91	Steele	.91
Itasca	.88	Stevens	.85
Jackson	.89	Swift	.87
Kanabec	.90	Todd	.85
Kandiyohi	.90	Traverse	.83
Kittson	.77	Wabasha	.91
Koochiching	.88	Wadena	.84
Lac Qui Parle	.87	Waseca	.91
Lake of the Woods	.83	Washington	.92
Le Sueur	.91	Watsonwan	.90
Lincoln	.88	Wilkin	.81
Lyon	.89	Winona	.90
McLeod	.91	Wright	.92
Mahnomen	.79	Yellow	
Marshall	.78	Medicine	.89

MISSISSIPPI

All counties	\$0.84
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MISSOURI

County	Rate per bushel	County	Rate per bushel
Adair	\$0.80	Franklin	\$0.87
Andrew	.87	Gasconade	.84
Atchison	.84	Gentry	.84
Audrain	.83	Greene	.82
Barry	.82	Grundy	.82
Barton	.86	Harrison	.81
Bates	.88	Henry	.88
Benton	.83	Hickory	.84
Bollinger	.86	Holt	.86
Boone	.83	Howard	.83
Buchanan	.88	Howell	.81
Butler	.86	Iron	.87
Caldwell	.85	Jackson	.88
Callaway	.83	Jasper	.85
Camden	.83	Jefferson	.90
Cape Girardeau	.88	Johnson	.86
Carroll	.84	Knox	.80
Carter	.81	Laclede	.82
Cass	.88	Lafayette	.86
Cedar	.86	Lawrence	.83
Chariton	.82	Lewis	.81
Christian	.82	Lincoln	.86
Clark	.81	Linn	.81
Clay	.88	Livingston	.83
Clinton	.87	McDonald	.82
Cole	.82	Macon	.81
Cooper	.82	Madison	.87
Crawford	.88	Maries	.82
Dade	.85	Marion	.82
Dallas	.82	Mercer	.80
Daviess	.84	Miller	.81
De Kalb	.87	Mississippi	.88
Dent	.84	Moniteau	.82
Douglas	.80	Monroe	.82
Dunklin	.87	Montgomery	.85
		Morgan	.81

MISSOURI—Continued

County	Rate per bushel	County	Rate per bushel
New Madrid	\$0.88	St. Francois	\$0.89
Newton	.84	Ste. Genevieve	.89
Nodaway	.84	St. Louis	.90
Oregon	.83	Saline	.84
Osage	.82	Schuyler	.80
Ozark	.80	Scotland	.80
Pemiscot	.88	Scott	.88
Perry	.87	Shannon	.81
Pettis	.83	Shelby	.81
Phelps	.85	Stoddard	.86
Pike	.84	Stone	.82
Platte	.88	Sullivan	.80
Polk	.84	Taney	.81
Pulaski	.83	Texas	.81
Putnam	.80	Vernon	.87
Ralls	.83	Warren	.87
Randolph	.82	Washington	.89
Ray	.86	Wayne	.85
Reynolds	.84	Webster	.81
Ripley	.85	Worth	.82
St. Charles	.89	Wright	.80
St. Claire	.86		

MONTANA

County	Rate per bushel	County	Rate per bushel
Beaverhead	\$0.70	McCone	\$0.64
Big Horn	.83	Madison	.76
Blaine	.82	Meagher	.71
Broadwater	.74	Mineral	.78
Carbon	.68	Missoula	.78
Carder	.65	Musselshell	.67
Cascade	.70	Park	.74
Chouteau	.68	Petroleum	.66
Custer	.64	Phillips	.60
Daniels	.62	Pondera	.69
Dawson	.64	Powder River	.63
Deer Lodge	.76	Powell	.76
Fallon	.65	Prairie	.64
Fergus	.88	Ravalli	.75
Flathead	.80	Richland	.64
Gallatin	.76	Roosevelt	.65
Garfield	.63	Rosebud	.63
Glacier	.69	Sanders	.78
Golden		Sheridan	.64
Valley	.68	Silver Bow	.76
Granite	.75	Stillwater	.68
Hill	.65	Sweet Grass	.71
Jefferson	.74	Teton	.69
Judith Basin	.67	Toole	.68
Lake	.75	Treasure	.65
Lewis and Clark	.69	Valley	.61
Liberty	.67	Wheatland	.69
Lincoln	.80	Wibaux	.66
		Yellowstone	.68

NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams	\$0.81	Frontier	\$0.78
Antelope	.84	Furnas	.79
Arthur	.76	Gage	.85
Banner	.75	Garden	.75
Blaine	.78	Garfield	.81
Boone	.84	Gosper	.79
Box Butte	.75	Grant	.75
Boyd	.81	Greeley	.82
Brown	.78	Hall	.82
Buffalo	.81	Hamilton	.83
Burt	.86	Harlan	.80
Butler	.86	Hayes	.76
Cass	.86	Hitchcock	.76
Cedar	.84	Holt	.81
Chase	.76	Hooker	.76
Cherry	.76	Howard	.82
Cheyenne	.75	Jefferson	.84
Clay	.82	Johnson	.85
Colfax	.86	Kearney	.80
Cuming	.86	Keith	.76
Custer	.79	Keya Paha	.78
Dakota	.85	Kimball	.75
Dawes	.74	Knox	.84
Dawson	.79	Lancaster	.86
Deuel	.76	Lincoln	.77
Dixon	.84	Logan	.78
Dodge	.86	Loup	.80
Douglas	.87	McPherson	.77
Dundy	.76	Madison	.85
Fillmore	.84	Merrick	.84
Franklin	.80	Morrill	.75

NEBRASKA—Continued

County	Rate per bushel	County	Rate per bushel
Nance	\$0.84	Scotts Bluff	\$0.75
Nemaha	.85	Seward	.86
Nuckolls	.82	Sheridan	.75
Otoe	.86	Sherman	.81
Pawnee	.85	Sioux	.74
Perkins	.76	Stanton	.86
Phelps	.80	Thayer	.83
Pierce	.85	Thomas	.77
Platte	.85	Thurston	.85
Polk	.85	Valley	.81
Red Willow	.77	Washington	.86
Richardson	.85	Wayne	.85
Rock	.79	Webster	.81
Saline	.85	Wheeler	.83
Sarpy	.86	York	.84
Saunders	.86		

NEVADA

All counties	\$0.87
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NEW HAMPSHIRE

All counties	\$0.88
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NEW JERSEY

All counties	\$0.88
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NEW MEXICO

County	Rate per bushel	County	Rate per bushel
Bernalillo	\$0.74	Mora	\$0.74
Catron	.74	Otero	.74
Chaves	.81	Quay	.84
Colfax	.74	Rio Arriba	.75
Curry	.84	Roosevelt	.83
De Baca	.81	Sandoval	.74
Dona Ana	.74	San Juan	.75
Eddy	.80	San Miguel	.74
Grant	.74	Santa Fe	.76
Guadalupe	.74	Sierra	.74
Harding	.79	Socorro	.74
Hidalgo	.75	Taos	.75
Lea	.83	Torrance	.77
Lincoln	.74	Union	.81
Luna	.75	Valencia	.74
McKinley	.74		

NEW YORK

Albany	\$1.06	All other counties	\$0.88
New York City	1.06		

NORTH CAROLINA

All counties	\$0.88
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NORTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Adams	\$0.69	McKenzie	\$0.66
Barnes	.78	McLean	.72
Benson	.74	Mercer	.71
Billings	.69	Morton	.71
Bottineau	.71	Mountrail	.70
Bowman	.68	Nelson	.76
Burke	.69	Oliver	.75
Burleigh	.73	Pembina	.71
Cass	.79	Pierce	.73
Cavaller	.74	Ramsey	.75
Dickey	.77	Ransom	.78
Divide	.68	Renville	.70
Dunn	.70	Richland	.80
Eddy	.75	Rolette	.72
Emmons	.72	Sargent	.79
Foster	.76	Sheridan	.73
Golden Valley	.67	Sioux	.71
Grand Forks	.78	Slope	.69
Grant	.70	Stark	.70
Griggs	.77	Steele	.78
Hettinger	.70	Stutsman	.77
Kidder	.74	Towner	.73
La Moure	.76	Traill	.78
Logan	.74	Walsh	.76
McHenry	.72	Ward	.70
McIntosh	.74	Wells	.74
		Williams	.68

OHIO

Adams	\$0.75	Ashtabula	\$0.81
Allen	.78	Athens	.77
Ashland	.78	Auglaize	.78

RULES AND REGULATIONS

OHIO—Continued

County	Rate per bushel	County	Rate per bushel
Belmont	\$0.78	Lucas	\$0.78
Brown	.75	Madison	.76
Butler	.75	Mahoning	.80
Carroll	.78	Marion	.77
Champaign	.75	Medina	.78
Clark	.75	Meigs	.75
Clermont	.75	Mercer	.78
Clinton	.75	Miami	.78
Columbiana	.79	Monroe	.78
Coshocton	.78	Montgomery	.76
Crawford	.77	Morgan	.78
Cuyahoga	.78	Morrow	.77
Darke	.80	Muskingum	.78
Defiance	.78	Noble	.78
Delaware	.77	Ottawa	.77
Erle	.77	Paulding	.78
Fairfield	.77	Perry	.77
Fayette	.75	Pickaway	.76
Franklin	.77	Pike	.75
Fulton	.78	Portage	.78
Gallia	.75	Preble	.75
Geauga	.81	Putnam	.78
Greene	.75	Richland	.78
Guernsey	.78	Ross	.76
Hamilton	.75	Sandusky	.77
Hancock	.78	Scioto	.75
Hardin	.78	Seneca	.77
Harrison	.78	Shelby	.78
Henry	.78	Stark	.78
Highland	.75	Summit	.78
Hocking	.77	Trumbull	.81
Holmes	.78	Tuscarawas	.78
Huron	.77	Union	.77
Jackson	.75	Van Wert	.78
Jefferson	.80	Vinton	.77
Knox	.78	Warren	.75
Lake	.80	Washington	.78
Lawrence	.75	Wayne	.78
Licking	.78	Williams	.78
Logan	.76	Wood	.78
Lorain	.78	Wyandot	.77

OKLAHOMA

County	Rate per bushel	County	Rate per bushel
Adair	\$0.80	Le Flore	\$0.77
Alfalfa	.80	Lincoln	.81
Atoka	.81	Logan	.81
Beaver	.80	Love	.82
Beckham	.81	McClain	.81
Blaine	.81	McCurtain	.77
Bryan	.80	McIntosh	.81
Caddo	.81	Major	.80
Canadian	.81	Marshall	.81
Carter	.81	Mayes	.83
Cherokee	.81	Murray	.81
Choctaw	.77	Muskogee	.81
Cimarron	.80	Noble	.80
Cleveland	.81	Nowata	.85
Coal	.81	Okfuskee	.81
Comanche	.81	Oklahoma	.81
Cotton	.81	Oklmulgee	.81
Craig	.84	Osage	.81
Creek	.81	Ottawa	.84
Custer	.80	Pawnee	.80
Delaware	.83	Payne	.81
Dewey	.80	Pittsburg	.81
Ellis	.80	Pontotoc	.81
Garfield	.81	Pottawa-	
Garvin	.81	tomie	.81
Grady	.81	Pushmataha	.77
Grant	.80	Rogers Mills	.80
Greer	.81	Rogers	.83
Harmon	.81	Seminole	.81
Harper	.79	Sequoyah	.79
Haskell	.77	Stephens	.81
Hughes	.81	Texas	.80
Jackson	.81	Tillman	.81
Jefferson	.81	Tulsa	.82
Johnston	.81	Wagoner	.82
Kay	.80	Washington	.84
Kingfisher	.81	Washita	.81
Kiowa	.81	Woods	.79
Latimer	.77	Woodward	.80

OREGON

County	Rate per bushel	County	Rate per bushel
Baker	\$0.90	Lake	\$0.89
Benton	.94	Lane	.90
Clackamas	.98	Lincoln	.94
Clatsop	1.01	Linn	.93
Columbia	1.01	Malheur	.83
Coos	.84	Marion	.96
Crook	.92	Morrow	.95
Curry	.84	Multnomah	1.01
Deschutes	.92	Polk	.95
Douglas	.87	Sherman	.97
Gilliam	.95	Tillamook	.98
Grant	.91	Umatilla	.93
Harney	.80	Union	.91
Hood River	.98	Wallowa	.89
Jackson	.86	Wasco	.98
Jefferson	.95	Washington	.98
Josephine	.86	Wheeler	.94
Klamath	.90	Yamhill	.96

PENNSYLVANIA

County	Rate per bushel	County	Rate per bushel
Philadelphia		All other	
City	\$1.06	counties	\$0.88

RHODE ISLAND

All counties	\$0.88
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SOUTH CAROLINA

County	Rate per bushel	County	Rate per bushel
Charleston	\$1.06	All other	
		counties	\$0.88

SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	\$0.80	Jackson	\$0.76
Beadle	.83	Jerauld	.81
Bennett	.75	Jones	.79
Bon Homme	.81	Kingsbury	.83
Brookings	.86	Lake	.82
Brown	.81	Lawrence	.71
Brule	.80	Lincoln	.82
Buffalo	.81	Lyman	.80
Butte	.71	McCook	.81
Campbell	.76	McPherson	.78
Charles Mix	.80	Marshall	.80
Clark	.83	Meade	.72
Clay	.82	Mellette	.79
Codington	.84	Miner	.82
Corson	.72	Minnehaha	.82
Custer	.73	Moody	.85
Davison	.81	Pennington	.74
Day	.83	Perkins	.71
Deuel	.87	Potter	.81
Dewey	.75	Roberts	.82
Douglas	.80	Sanborn	.81
Edmunds	.81	Shannon	.74
Fall River	.73	Spink	.83
Faulk	.82	Stanley	.80
Grant	.84	Sully	.81
Gregory	.80	Todd	.78
Haakon	.77	Tripp	.79
Hamlin	.83	Turner	.81
Hand	.82	Union	.82
Hanson	.81	Walworth	.79
Harding	.71	Washabaugh	.76
Hughes	.80	Yankton	.81
Hutchinson	.81	Ziebach	.74
Hyde	.81		

TENNESSEE

County	Rate per bushel	County	Rate per bushel
Shelby	\$0.91	All other	
		counties	\$0.85

TEXAS

County	Rate per bushel	County	Rate per bushel
Anderson	\$0.94	Bell	\$0.93
Angelina	.96	Bexar	.92
Archer	.82	Blanco	.93
Armstrong	.82	Borden	.82
Atascosa	.91	Bosque	.91
Austin	.99	Bowie	.86
Bailey	.82	Brazoria	.99
Bandera	.90	Brazos	.97
Baylor	.82	Brewster	.72
Bee	.98	Briscoe	.82

TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Brown	\$0.87	Hopkins	\$0.86
Burleson	.97	Houston	.96
Burnet	.91	Howard	.82
Callahan	.84	Hudspeth	.72
Cameron	.92	Hunt	.87
Camp	.89	Hutchinson	.81
Carson	.82	Irion	.76
Cass	.87	Jack	.85
Castro	.82	Jackson	.96
Chambers	1.01	Jasper	.96
Cherokee	.93	Jeff Davis	.72
Childress	.82	Jefferson	1.01
Clay	.84	Jim Wells	.98
Cochran	.82	Johnson	.90
Coke	.82	Jones	.82
Coleman	.85	Karnes	.93
Collin	.89	Kaufman	.89
Collingsworth	.82	Kendall	.89
Comal	.93	Kenedy	.95
Comanche	.87	Kent	.82
Concho	.87	Kerr	.89
Cooke	.86	Kimble	.87
Coryell	.92	King	.82
Cottle	.82	Kinney	.85
Crane	.77	Knox	.82
Crockett	.76	Lamar	.85
Crosby	.82	Lamb	.82
Culberson	.72	Lampasas	.91
Dallam	.81	Leon	.95
Dallas	.90	Liberty	.99
Dawson	.82	Limestone	.94
Deaf Smith	.82	Lipscomb	.81
Delta	.86	Live Oak	.98
Denton	.87	Llano	.91
De Witt	.95	Loving	.73
Dickens	.82	Lubbock	.82
Dimmit	.89	Lynn	.82
Donley	.82	McCulloch	.87
Eastland	.86	McLennan	.93
Ector	.81	Madison	.97
Edwards	.81	Marion	.89
Ellis	.90	Martin	.81
El Paso	.71	Mason	.87
Erath	.87	Maverick	.86
Falls	.94	Medina	.90
Fannin	.86	Menard	.87
Fayette	.97	Midland	.81
Fisher	.82	Milam	.95
Floyd	.82	Mills	.90
Foard	.82	Mitchell	.82
Fort Bend	.99	Montague	.85
Franklin	.89	Montgomery	.99
Freestone	.93	Moore	.81
Gaines	.82	Morris	.89
Galveston	1.01	Motley	.82
Garza	.82	Nacogdoches	.93
Gillespie	.89	Navarro	.92
Goliad	.95	Newton	.95
Gonzales	.96	Nolan	.82
Gray	.82	Nueces	1.01
Grayson	.86	Ochiltree	.81
Gregg	.90	Oldham	.82
Grimes	.98	Orange	.98
Guadalupe	.93	Palo Pinto	.86
Hale	.82	Panola	.92
Hall	.82	Parker	.88
Hamilton	.89	Parmer	.82
Hansford	.81	Pecos	.73
Hardeman	.82	Polk	.87
Hardin	.98	Potter	.92
Harris	1.01	Presidio	.72
Harrison	.89	Rains	.90
Hartley	.81	Randall	.82
Haskell	.82	Reagan	.76
Hays	.94	Red River	.85
Hemphill	.81	Reeves	.73
Henderson	.92	Roberts	.81
Hidalgo	.92	Robertson	.94
Hill	.92	Rockwall	.87
Hockley	.82	Runnels	.84
Hood	.87	Rusk	.91

TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Sabine	\$0.93	Tom Green	\$0.82
San Augustintine	.93	Travis	.94
San Jacinto	.99	Trinity	.97
San Patricio	1.01	Tyler	.96
San Saba	.87	Upshur	.89
Schleicher	.77	Upton	.77
Scurry	.82	Uvalde	.88
Shackelford	.84	Val Verde	.82
Shelby	.93	Van Zandt	.90
Sherman	.81	Victoria	.95
Smith	.91	Walker	.98
Somervell	.87	Waller	.99
Starr	.89	Ward	.77
Stephens	.85	Washington	.97
Sterling	.79	Wharton	.98
Stonewall	.82	Wheeler	.82
Sutton	.76	Wichita	.83
Swisher	.82	Wilbarger	.82
Tarrant	.90	Willacy	.92
Taylor	.83	Williamson	.94
Terrell	.76	Wilson	.92
Terry	.82	Winkler	.80
Throckmorton	.84	Wise	.87
Titus	.89	Wood	.89
		Yoakum	.82
		Young	.85

UTAH

All counties ----- \$0.84

VERMONT

All counties ----- \$0.88

VIRGINIA

Chesapeake (Norfolk) \$1.06 All other counties \$0.88

WASHINGTON

County	Rate per bushel	County	Rate per bushel
Adams	\$0.92	Lewis	\$0.98
Asotin	.90	Lincoln	.91
Benton	.94	Mason	.94
Chelan	.96	Okanogan	.90
Clallam	.86	Pacific	.94
Clark	1.01	Pend Oreille	.86
Columbia	.93	Pierce	1.01
Cowlitz	1.01	San Juan	.90
Douglas	.92	Skagit	.93
Ferry	.88	Skamania	.98
Franklin	.93	Snohomish	.96
Garfield	.93	Spokane	.90
Grant	.92	Stevens	.87
Grays Harbor	.94	Thurston	.98
Island	.94	Wahkiakum	.98
Jefferson	.90	Walla Walla	.93
King	1.01	Whatcom	.90
Kitsap	.98	Whitman	.91
Kittitas	.96	Yakima	.94
Klickitat	.96		

WEST VIRGINIA

All counties ----- \$0.85

WISCONSIN

County	Rate per bushel	County	Rate per bushel
Adams	\$0.82	Green Lake	\$0.82
Ashland	.87	Iowa	.83
Barron	.88	Iron	.84
Bayfield	.90	Jackson	.86
Brown	.81	Jefferson	.86
Buffalo	.90	Juneau	.83
Burnett	.91	Kenosha	.91
Calumet	.82	Kewaunee	.79
Chippewa	.86	LaCrosse	.86
Clark	.85	Lafayette	.83
Columbia	.83	Langlade	.80
Crawford	.83	Lincoln	.82
Dane	.85	Manitowoc	.82
Dodge	.85	Marathon	.83
Door	.76	Marinette	.79
Douglas	.92	Marquette	.82
Dunn	.89	Menominee	.80
Eau Claire	.88	Milwaukee	.91
Florence	.78	Monroe	.85
Fond Du Lac	.83	Oconto	.79
Forest	.79	Oneida	.82
Grant	.83	Outagamie	.81
Green	.85	Ozaukee	.88

WISCONSIN—Continued

County	Rate per bushel	County	Rate per bushel
Pepin	\$0.90	Taylor	\$0.85
Pierce	.90	Trem-	
Polk	.91	pealeau	.89
Portage	.81	Vernon	.85
Price	.85	Vilas	.81
Racine	.91	Walworth	.89
Richland	.83	Washburn	.90
Rock	.87	Washington	.86
Rusk	.90	Waukesha	.88
St. Croix	.91	Waupaca	.81
Sauk	.83	Waushara	.82
Sawyer	.88	Winnebago	.82
Shawano	.80	Wood	.83
Sheboygan	.85		

WYOMING

County	Rate per bushel	County	Rate per bushel
Albany	\$0.78	Natrona	\$0.80
Big Horn	.78	Niobrara	.74
Campbell	.65	Park	.78
Carbon	.80	Platte	.76
Converse	.73	Sheridan	.63
Crook	.66	Sublette	.80
Fremont	.80	Sweetwater	.80
Goshen	.76	Teton	.81
Hot Springs	.80	Uinta	.80
Johnson	.66	Washakie	.78
Laramie	.77	Weston	.72
Lincoln	.80		

(b) Discounts. The basic support rate shall be adjusted as applicable by discounts as follows:

Reason:	Discount (cents per bushel)
Class—Mixed Barley	2
Grade:	
No. 3	3
No. 4	6
No. 5	15
Total damage (percent): ¹	
10.1-11	1
11.1-12	2
12.1-13	3
13.1-14	4
14.1-15	5
15.1-16	6
16.1-17	7
17.1-18	8
18.1-19	9
19.1 and above	10
Garlicky	10
Weed Control Law (where required by § 1421.25)	10

¹ Not applicable to barley of the class Western Barley.

Other factors: Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of the barley, such as (but not limited to) thin barley, moisture, foreign material, test weight, heat damage, musty, sour, smutty, stained, weevily, ergoty, and bleached. Such discounts will be established not later than the time delivery of barley to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices approximately 1 month prior to the loan maturity date.

NOTE: Discounts are cumulative except only one grade discount shall be applied. The discounts for total damage in excess of 10 percent are in addition to the discount of 15 cents for barley grading No. 5. For the purpose of applying discounts, factors which cause barley of the subclass Malting Barley or Blue Malting Barley to have a lower numerical grade than if the barley were graded under a different subclass shall be disregarded.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 2, 1970.

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

[F.R. Doc. 70-8809; Filed, July 10, 1970; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, in paragraph (e) (14) relating to the State of Virginia, subdivision (v) relating to Nansemond and Isle of Wight Counties is amended to read:

(14) Virginia. * * *

(v) The adjacent portions of Nansemond and Isle of Wight Counties bounded by a line beginning at the junction of U.S. Highway 17 and the west bank of the Nansemond River; thence, following the west bank of the Nansemond River in a southwesterly direction to Primary Highway 125; thence, following Primary Highway 125 in a southeasterly direction to Primary Highway 337; thence, following Primary Highway 337 in a southeasterly direction to the Nansemond-Chesapeake County line; thence, following the Nansemond-Chesapeake County line in a southwesterly direction to the Washington Ditch; thence, following Washington Ditch in a northwesterly direction to Secondary Highway 642; thence, following Secondary Highway 642 in a northerly direction to Secondary Highway 674; thence, following Secondary Highway 674 in a generally westerly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a southeasterly direction to Secondary Highway 642; thence, following Secondary Highway 642 in a southwesterly direction to Secondary Highway 664; thence, following Secondary Highway 664 in a northwesterly direction to Primary Highway 32; thence, following Primary Highway 32 in a southeasterly direction to the Virginia-North Carolina State line; thence, following the Virginia-North Carolina

State line in a westerly direction to Secondary Road 670; thence, following Secondary Road 670 in a northwesterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a northeasterly direction to Secondary Road 668; thence, following Secondary Road 668 in a northeasterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a generally northeasterly direction to Secondary Road 647; thence, following Secondary Road 647 in a northwesterly direction to Secondary Road 685; thence, following Secondary Road 685 in a northeasterly direction to Secondary Road 646; thence, following Secondary Road 646 in a northwesterly direction to U.S. Highway 58; thence, following U.S. Highway 58 in a southwesterly direction to Secondary Road 647; thence, following Secondary Road 647 in a generally northwesterly direction to Secondary Road 610; thence, following Secondary Road 610 in a generally northwesterly direction to the Nansemond-Isle of Wight County line; thence, following the Nansemond-Isle of Wight County line in a northeasterly direction to Secondary Road 604; thence, following Secondary Road 604 in a generally southeasterly direction to U.S. Highway 460; thence, following U.S. Highway 460 in a southeasterly direction to the Nansemond River; thence, following the east bank of the Nansemond River in a generally northeasterly direction to the north bank of Western Branch; thence, following the north bank of Western Branch in a northwesterly direction to Secondary Highway 603; thence, following Secondary Highway 603 in a northeasterly direction to Secondary Highway 602; thence, following Secondary Highway 602 in a northeasterly direction to Secondary Highway 600; thence, following Secondary Highway 600 in a southeasterly direction to Primary Highway 32, 10; thence, following Primary Highway 32, 10 in a southerly direction to the Nansemond-Isle of Wight County line; thence, following the Nansemond-Isle of Wight County line in a northeasterly direction to U.S. Highway 17; thence, following U.S. Highway 17 in a southeasterly direction to its junction with the west bank of the Nansemond River.

2. In § 76.2, in paragraph (e) (9) relating to the State of North Carolina, subdivision (i) relating to Gates County is amended to read:

(9) *North Carolina.* (i) That portion of Gates County bounded by a line beginning at the junction of Secondary Road 1208 and the North Carolina-Virginia State line; thence, following Secondary Road 1208 in a southwesterly direction to Secondary Road 1202; thence, following Secondary Road 1202 in an easterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a southwesterly direction to Secondary Road 1221; thence, following Secondary Road 1221 in a generally southeasterly direction to U.S. Highway 158; thence, following U.S. Highway 158 in a southeasterly direction to Secondary Road 1217; thence, following Secondary Road 1217 in a northeasterly direction to Secondary

Road 1225; thence, following Secondary Road 1225 in a southeasterly direction to Secondary Road 1220; thence, following Secondary Road 1220 in a northeasterly direction to North Carolina Highway 37; thence, following North Carolina Highway 37 in a northwesterly direction to Secondary Road 1303; thence, following Secondary Road 1303 in a northeasterly direction to Secondary Road 1300; thence, following Secondary Road 1300 in a southeasterly direction to U.S. Highway 158; thence, following U.S. Highway 158 in an easterly direction to Secondary Road 1318; thence, following Secondary Road 1318 in a northeasterly direction to Secondary Road 1320; thence, following Secondary Road 1320 in a generally southeasterly direction to North Carolina Highway 32; thence, following North Carolina Highway 32 in a northeasterly direction to Secondary Road 1332; thence, following Secondary Road 1332 in a generally northerly direction to Secondary Road 1333; thence, following Secondary Road 1333 in a generally northerly direction to the North Carolina-Virginia State line; thence, following the North Carolina-Virginia State line in a westerly direction to its junction with Secondary Road 1208.

3. In § 76.2 in paragraph (e) (1) relating to the State of Alabama, subdivision (ii) relating to Etowah and Cherokee Counties is deleted.

Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

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

The amendments quarantine a portion of Nansemond County, Va., and a portion of Gates County, N.C., because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to such counties.

The amendments also exclude portions of Etowah and Cherokee Counties in Alabama from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the areas excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective

promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 7th day of July 1970.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-8845; Filed, July 10, 1970;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 70-SW-26; Amdt. 39-1021]

PART 39—AIRWORTHINESS DIRECTIVES

Aero Commander Models 500, 500A, 500B, 520, 560, 560A, 560E, 560F, 680, 680E, 680F, 680F(P), 680FL, 680FL(P), and 720 Airplanes

A proposal to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-48, 30 F.R. 3421, AD 65-6-1, to require periodic inspections of those wing spar caps that have not been repaired in accordance with AD 65-6-1, was published in 35 F.R. 6662.

Interested persons have been afforded an opportunity to participate in the making of the amendment. The preamble to the proposal stated that airplanes with spar cap cracks previously detected on one side which were repaired and reinforced in accordance with AD 65-6-1 subsequently developed cracks on the opposite side after being reinforced. One commentator stated that cracks have also been detected on aircraft after the reinforcement which had no cracks on either side prior to the reinforcement. This was not reflected in the preamble due to the fact that at the time of writing of the proposal, the Agency had no reports of this nature. As the proposal covers both contingencies, the above comment is offered for information and record purposes only.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-48, 30 F.R. 3421, AD 65-6-1, is amended as follows:

1. By amending paragraph (e) to read:

(e) Inspect the lower front spar cap at wing station 24.00 right and left in accordance with Aero Commander Service Bulletin No. 90B, dated March 9, 1970.

2. By amending paragraph (h) to read:

(h) After the initial inspections specified in paragraphs (a), (b), (c), and (d) for aircraft serial numbers 1 through 1489, 1491, 1492, 1495, and 1500, provided no cracks were found and the spar cap has been reinforced in accordance with paragraph (g), inspect in accordance with paragraph (e) within 400 hours time in service after the effective date of this amendment, unless already accomplished within the last 100 hours time in service, and thereafter at intervals not to exceed 500 hours time in service from the last inspection.

3. By adding the following paragraphs:

(j) When both the left and right front spar caps have been repaired in accordance with paragraph (f), the repetitive inspections required by paragraph (h) may be discontinued. When only one side has been repaired in accordance with paragraph (f), the repetitive inspections are required for the opposite side only.

(k) If uncracked lower front spar caps are repaired in accordance with paragraph (f), the repetitive inspections required by paragraph (h) or (j) may be discontinued.

This amendment becomes effective August 12, 1970.

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

Issued in Fort Worth, Tex., on June 30, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-8828; Filed, July 10, 1970; 8:46 a.m.]

[Airworthiness Docket No. 70-SW-19; Amdt. 39-1023]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 47D, 47D-1, 47G, 47G-2, and 47H-1 Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring an inspection and replacement of the tail rotor hub assembly bolt and requiring proper installation of the hub assembly bolt on Bell Model 47D, 47D-1, 47G, 47G-2, and 47H-1 helicopters was published in 35 F.R. 5556.

Interested persons have been afforded an opportunity to participate in the making of the amendment. The one comment received suggested that a problem of interpretation existed as to whether both an inspection and replacement were required for bolts with less than 550 hours time in service. The proposal was intended to require a one-time inspection of low time bolts or replacement in lieu thereof. If during the inspection, the bolts were found to be cracked, replacement was mandatory. Also, it was intended to limit the time in service for all hub bolts to 600 hours. Therefore, the amendment has been changed and adopted to require a one-time inspection and to specifically limit the total time

in service for all replacement bolts to 600 hours.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELL. Applies to all Bell Model 47D, 17D-1, 47G, 47G-2, and 47H-1 helicopters certificated in all categories, and to any other helicopters equipped with tail rotor hub assembly bolt (also called a blade grip retaining bolt or a bearing retaining bolt), P/N 47-641-052-3.

Compliance required as indicated. To detect and prevent possible failure of the tail rotor hub assembly bolt due to a fatigue crack and to correct any improper installation of the hub bolt, accomplish the following:

(a) Within the next 50 hours time in service, remove and replace bolts with 550 hours or more total time in service on the effective date of this AD.

(b) Within the next 50 hours time in service, inspect, one time, bolts with less than 550 hours total time in service on the effective date of this AD as follows:

(1) Remove and disassemble the tail rotor assembly and remove the hub assembly bolts.

(2) Inspect the bolt head to shank radius for cracks using a magnetic particle or equivalent inspection method.

(3) Replace cracked bolts before further flight as specified in paragraph (e).

(c) Remove and replace bolts with less than 550 hours total time in service on the effective date of this AD at or prior to accumulating 600 hours total time in service.

(d) Remove and replace all replacement bolts at or prior to accumulating 600 hours total time in service.

(e) Install bolts in accordance with paragraph 6-16.e., section VI, Model 47D-1, 47G, and 47G-2 Maintenance and Overhaul Instruction Manual, as revised August 15, 1961, or in accordance with equivalent FAA-approved procedures.

This amendment becomes effective August 10, 1970.

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

Issued in Fort Worth, Tex., on July 1, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-8826; Filed, July 10, 1970; 8:46 a.m.]

[Airworthiness Docket No. 70-SW-20; Amdt. 39-1022]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 47D-1, 47G, 47G-2, and 47H-1 Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive limiting the life of the tail rotor pitch change bearing and requiring inspection of the tail rotor bearing and guide sleeve on Bell Model 47D-1, 47G, 47G-2, and 47H-1 helicopters was published in 35 F.R. 5557.

Interested persons have been afforded an opportunity to participate in the

making of the amendment. The one comment received suggested that a problem of interpretation existed as to whether both an inspection and replacement with a new part were required for bearings with less than 450 hours total time in service. The proposal was intended to require a one-time inspection of the bearing or replacement in lieu of inspection. If scoring or roughness was discovered during the inspection, bearing replacement was mandatory. Also, it was intended to limit the time in service for all bearings to 600 hours.

In analyzing the proposal in order to clarify the airworthiness directive, it was concluded that all duplex pitch change bearings should be inspected within the next 50 hours time in service in the interest of safety, regardless of total time in service. Therefore, the airworthiness directive is being changed accordingly and to specifically limit the total time in service for all replacement bearings to 600 hours.

Interested persons are again invited to participate in the making of the amendment by submitting such written data, views, or comments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received before August 10, 1970, will be considered by the Director. The amendment contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Tex.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELL. Applies to all Bell Model 47D-1, 47G, 47G-2, and 47H-1 helicopters certificated in all categories and to any other helicopters equipped with duplex pitch change bearings, P/N 47-641-131-1.

Compliance required as indicated. To prevent possible failure of the tail rotor duplex pitch change bearing and to correct any improper installation of the duplex bearing and delta hinge bolts:

(a) Inspect all duplex pitch change bearings within the next 50 hours time in service after the effective date of this AD, unless already accomplished, as follows:

(1) Remove tail rotor assembly.

(2) Remove and disassemble the tail rotor drive head assembly to expose the duplex bearings and guide sleeve, P/N 47-641-040 or 47-641-130.

(3) Inspect the outside surface of the guide sleeve for scoring.

(4) Inspect the duplex bearing for roughness.

(5) Replace the duplex bearing before further flight as specified in subparagraphs (b) (3) and (4) if the guide sleeve is scored or if the bearing is rough.

(6) Install the tail rotor assembly and check rigging and tracking as described in subparagraph (b) (5).

(b) Remove and replace duplex pitch change bearings with 450 or more hours time in service on the effective date of this AD within the next 150 hours time in service, as follows:

(1) Remove tail rotor assembly,
(2) Remove and disassemble the tail rotor drive head assembly,

(3) Assemble and install the tail rotor drive head assembly, using a new duplex bearing, P/N 47-641-131-1, in accordance with the procedures specified in paragraphs 6.63 (j) and (k) in the Model 47D-1, 47G, and 47G-2 Maintenance and Overhaul Instruction Manual, as revised August 15, 1969, or in accordance with FAA-approved equivalent procedures.

(4) Lubricate the bearing and sleeve with grease, MIL-G-25537 or equivalent.

(5) Install the tail rotor assembly and check rigging and tracking in accordance with the procedures specified in paragraphs 6-17 (a) through (h) or 6-18 (a) through (g) of the appropriate manual or in accordance with FAA-approved equivalent procedures.

(c) Remove and replace duplex pitch change bearings with less than 450 hours time in service on the effective date of this AD prior to accumulating 600 hours time in service, in accordance with the procedures described in subparagraphs (b) (1) through (5) above.

(d) Remove and replace all replacement duplex pitch change bearings prior to accumulating 600 hours time in service.

This amendment becomes effective August 10, 1970.

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

Issued in Fort Worth, Tex., on July 1, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-8827; Filed, July 10, 1970; 8:46 a.m.]

[Airworthiness Docket No. 70-WE-22-AD; Amdt. 39-1027]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 747-100 Series Airplanes

There has been an incident involving the steering system on 747-100 series airplanes which resulted in inadvertent departure of the airplane from the runway. The nose gear tiller was misindexed, causing unwanted nose wheel steering during takeoff roll. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to provide additional instructions and modification to the steering system on 747-100 airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697),

§ 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to 747-100 series airplanes which incorporate 65B82749-3 Compensator Assembly.

Compliance required as indicated. To prevent steering malfunction, accomplish the following:

(a) Within 10 hours after the effective date of this AD, unless already accomplished, install a placard as noted below in full view of the captain and first officer, or provide an equivalent procedure acceptable to the cognizant Air Carrier District Office.

Placard wording is as follows:

1. Without using the tiller check that the nose wheel is tracking straight while taxiing.

2. Allow aircraft to roll forward to assure nose wheel alignment prior to applying takeoff power.

3. If metering or directional control problems occur, the takeoff should be discontinued.

The requirement for (a) is eliminated upon accomplishment of the provisions of (b) below.

(b) Within the next 1,000 hours' time in service after the effective date of this AD, unless already accomplished, replace the 65B-82749-3 compensator assembly with the 65B-82749-4 compensator assembly per Boeing Service Bulletin No. 32-2032, dated June 19, 1970, or later FAA-approved revisions, or an equivalent modification approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective July 16, 1970.

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

Issued in Los Angeles, Calif., on July 2, 1970.

JAMES V. NIELSEN,
Acting Director,
FAA Western Region.

[F.R. Doc. 70-8824; Filed, July 10, 1970; 8:46 a.m.]

[Airworthiness Docket No. 70-WE-23-AD; Amdt. 39-1024]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 747-100 Series Airplanes

There has been a failure of the inboard flap track of the inboard flap on the Boeing Model 747-100 Series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require inspection on all flap tracks on the Boeing 747-100 airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to all Model 747-100 series airplanes certificated in all categories.

Compliance required within the next 10 landings after the effective date of this AD, unless already accomplished within the last 90 landings and thereafter at intervals not to exceed 100 landings from the last inspections.

To detect cracks of the flap track, accomplish the following:

(a) Within 10 landings after the effective date of this AD, unless already accomplished within the last 90 landings, visually inspect all flap tracks for cracks in accordance with Boeing Alert Service Bulletin 57-2011, Revision 1, dated June 6, 1970, or later FAA-approved revisions, or in a manner approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(1) If a crack is found, replace flap track or repair in accordance with a method approved by the Chief, Aircraft Engineering Division, FAA Western Region, prior to further flight. Repeat inspections, per (a) (2) below.

(2) If no cracks are found, repeat the inspection for cracks at intervals not to exceed 100 landings.

(b) Within 10 hours after the effective date of this AD, unless already accomplished, install a placard as noted below in full view of the captain and first officer, or provide an equivalent procedure acceptable to the cognizant Air Carrier District Office.

Placard wording is as follows:

Flap position:	Recommended flap operating speed (knots IAS)
20.....	200.
25.....	170.
30.....	Do not use.

(c) Report in the airplane log all instances when the flap speeds in (b) above are exceeded or when flap position 30 is used.

(d) Upon accomplishment of (c), visually inspect all inboard flap tracks for cracks per (a), prior to further flight.

(1) If a crack is found, replace or repair the flap track per (a) (1). Repeat inspections per (a) (2).

(2) If no cracks are found, repeat inspections per (a) (2).

NOTE: This is an interim action. The manufacturer is developing a redesigned flap track.

This amendment becomes effective July 21, 1970.

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

Issued in Los Angeles, Calif., on July 2, 1970.

JAMES V. NIELSEN,
Acting Director,
FAA Western Region.

[F.R. Doc. 70-8825; Filed, July 10, 1970; 8:46 a.m.]

[Airspace Docket No. 70-EA-17]

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

Alteration of Control Zone and Transition Area

On page 7384 of the FEDERAL REGISTER for May 12, 1970, the Federal Aviation Administration published a proposed rule

which would alter the Concord, N.H., control zone (35 F.R. 2069) and transition area (35 F.R. 2164).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., September 17, 1970.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on June 22, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Concord, N.H., control zone and insert the following in lieu thereof:

Within a 5-mile radius of the center, 43°12'10" N., 71°30'10" W., of Concord Municipal Airport, Concord, N.H.; within 2 miles each side of the Concord VORTAC 284° radial extending from the 5-mile radius zone to 8.5 miles west of the VORTAC; within 3 miles each side of the 133° bearing from the Pembroke, N.H., RBN (43°10'57" N., 71°28'18" W.) extending from the 5-mile radius zone to 8.5 miles southeast of the RBN and within 2 miles each side of the centerline of Runway 35 extended from the 5-mile radius zone to 6 miles north of the end of the runway.

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

That airspace extending upward from 700 feet above the surface bounded by a line beginning at 43°22'00" N., 71°23'00" W., to 43°09'30" N., 71°17'30" W., to 43°09'00" N., 71°11'50" W., to 42°58'50" N., 71°01'00" W., to 42°53'00" N., 71°11'30" W., to 42°47'00" N., to 71°09'00" W., to 42°38'00" N., 71°20'00" W., to 42°40'00" N., 71°35'00" W., to 42°43'00" N., 71°36'00" W., to 42°45'00" N., 71°38'25" W., to 42°54'00" N., 71°57'00" W., to 43°06'00" N., 71°47'00" W., to 43°08'00" N., 71°59'00" W., to 43°21'00" N., 71°56'00" W., to 43°19'00" N., 71°38'00" W. to point of beginning.

[F.R. Doc. 70-8829; Filed, July 10, 1970; 8:46 a.m.]

[Airspace Docket No. 70-EA-42]

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

Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 so as to alter the Aberdeen, Md., control zone (35 F.R. 2054).

The hours of the Phillips Army Airfield control tower, Aberdeen, Md., will be changed from 24 hours daily to 0600 to 2200 hours, local time, Monday through Friday, excluding Federal legal holidays. The U.S. Army desires to do this as soon as the necessary rule making airspace action is effected.

Since the weather observation and reporting requirements to support the Aberdeen, Md., control zone will be available only during the times the Phillips Tower is operating, we will require alteration of the Aberdeen, Md., control zone (35 F.R. 2054) hours of designation to reflect this change.

Since this amendment is relaxatory in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, § 71.171 of Part 71 of the Federal Aviation Regulations is amended effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations by adding the following to the description of the Aberdeen, Md., control zone: "This control zone is effective from 0600 to 2200 hours, local time, Monday through Friday, excluding Federal legal holidays."

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on June 22, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 70-8830; Filed, July 10, 1970; 8:46 a.m.]

[Docket No. 10005; Amdt. 93-20]

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

VOR Federal Airway Special Air Traffic Rule

Correction

In F.R. Doc. 70-8487 appearing on page 10856 in the issue of Friday, July 3, 1970, the effective date in the sixth paragraph in the center column reading "August 20, 1970" should read "August 2, 1970".

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

PART 29—FRUIT BUTTERS, FRUIT JELLIES, FRUIT PRESERVES, AND RELATED PRODUCTS

Order Deleting Cyclamic Acid and Its Salts From Lists of Permitted Non-nutritive Sweeteners in Standardized Foods

An order was published in the FEDERAL REGISTER of October 21, 1969 (34 F.R. 17063), removing salts of cyclamic acid from the food additive list of substances

generally recognized as safe (21 CFR 121.101(d)(4)). Cyclamic acid, which had also been recognized as safe although not listed in § 121.101, is by the provisions of the order removed from that status.

Inasmuch as cyclamic acid and its salts are no longer generally recognized as safe and no applicable regulation exists providing for their safe use, it is incumbent on the Commissioner of Food and Drugs in the promotion of honesty and fair dealing in the interest of consumers regarding food standards (21 U.S.C. 341) to delete from the standards provisions for use of cyclamic acid and its salts.

A. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That §§ 27.6(a), 27.14(a), 27.24(a), 27.34(a), 27.43(a), 27.57(a), 27.73(a), 29.4(c), and 29.5(c) be revised to read as follows:

§ 27.6 Artificially sweetened canned peaches; identity; label statement of optional ingredients.

(a) Artificially sweetened canned peaches is the food which conforms to the definition and standard of identity prescribed for canned peaches by § 27.2, except that in lieu of a packing medium specified in § 27.2(c), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium may be thickened with pectin and may contain any mixture of any edible organic salt or salts and any edible organic acid or acids as a flavor-enhancing agent, in a quantity not more than is reasonably required for that purpose.

§ 27.14 Artificially sweetened canned apricots; identity; label statement of optional ingredients.

(a) Artificially sweetened canned apricots is the food which conforms to the definition and standard of identity prescribed for canned apricots by § 27.10, except that in lieu of a packing medium specified in § 27.10(c), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium may be thickened with pectin and may contain any mixture of any edible organic salt or salts and any edible organic acid or acids as a flavor-enhancing agent, in a quantity not more than is reasonably required for that purpose.

§ 27.24 Artificially sweetened canned pears; identity; label statement of optional ingredients.

(a) Artificially sweetened canned pears is the food which conforms to the definition and standard of identity prescribed for canned pears by § 27.20, except that in lieu of a packing medium specified in § 27.20(c), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium may be thickened with pectin and may contain any mixture of any edible organic salt or salts and any edible

organic acid or acids as a flavor-enhancing agent, in a quantity not more than is reasonably required for that purpose.

§ 27.34 Artificially sweetened canned cherries; identity; label statement of optional ingredients.

(a) Artificially sweetened canned cherries is the food which conforms to the definition and standard of identity prescribed for canned cherries by § 27.30, except that in lieu of a packing medium specified in § 27.30(c), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium may be thickened with pectin and may contain any mixture of any edible organic salt or salts and any edible organic acid or acids as a flavor-enhancing agent, in a quantity not more than is reasonably required for that purpose.

§ 27.43 Artificially sweetened canned fruit cocktail; identity; label statement of optional ingredients.

(a) Artificially sweetened canned fruit cocktail is the food which conforms to the definition and standard of identity prescribed for canned fruit cocktail by § 27.40, except that in lieu of a packing medium specified in § 27.40(c), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium may be thickened with pectin and may contain any mixture of any edible organic salt or salts and any edible organic acid or acids as a flavor-enhancing agent, in a quantity not more than is reasonably required for that purpose.

§ 27.57 Artificially sweetened canned pineapple; identity; label statement of optional ingredients.

(a) Artificially sweetened canned pineapple is the food that conforms to the definition and standard of identity prescribed for canned pineapple by § 27.50, except that in lieu of a packing medium specified in § 27.50(b), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium may be thickened with pectin.

§ 27.73 Artificially sweetened canned figs; identity; label statement of optional ingredients.

(a) Artificially sweetened canned figs is the food which conforms to the definition and standard of identity prescribed for canned figs by § 27.70, except that in lieu of a packing medium specified in § 27.70(c), the packing medium used is water artificially sweetened with saccharin, sodium saccharin, or a combination of both. Such packing medium

may be thickened with pectin and may contain any mixture of any edible organic salt or salts and any edible organic acid or acids as a flavor-enhancing agent, in a quantity not more than is reasonably required for that purpose.

§ 29.4 Artificially sweetened fruit jelly; identity; label statement of optional ingredients.

(c) The artificial sweetening ingredients referred to in paragraph (a) of this section are saccharin, sodium saccharin, calcium saccharin, or any combination of two or more of these.

§ 29.5 Artificially sweetened fruit preserves, artificially sweetened fruit jams; identity; label statement of optional ingredients.

(c) The artificial sweetening ingredients referred to in paragraph (a) of this section are saccharin, sodium saccharin, calcium saccharin, or any combination of two or more of these.

B. The standard of identity for frozen concentrate for artificially sweetened lemonade (§ 27.103) and the stayed standard of identity for artificially sweetened cranberry juice cocktail—a juice drink (§ 27.123) permit use of one or more nonnutritive sweeteners listed in 21 CFR Part 121 but do not specifically list such nonnutritive sweeteners by common names. However, in accordance with the provisions of the food additive order of October 21, 1969 (34 F.R. 17063), and pursuant to the authority delegated to the Commissioner as cited above: *It is ordered*, That frozen concentrate for artificially sweetened lemonade and artificially sweetened cranberry juice cocktail—a juice drink may no longer contain salts of cyclamic acid.

This order amends the subject food standards by removing from listed sweetening ingredients cyclamic acid and its salts because such substances are no longer permitted for use in food by Part 121, the food additive regulations. Accordingly, this order effects consistency within existing regulations; therefore, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

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

Dated: July 8, 1970.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[F.R. Doc. 70-8848; Filed, July 10, 1970;
8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18822; FCC 70-692]

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

PART 73—RADIO BROADCAST SERVICES

Miscellaneous Amendments

Report and orders. In the matter of amendment of the Table of Assignments for Television Broadcast Stations in § 73.606 of the Commission's rules and regulations (Agana, Guam), the deletion of § 73.603(d) of our rules and footnote US95 of Part 2 of our rules from the list of footnotes and from Column 5 of § 2.106 concerning the band 54-72 MHz; Docket No. 18822, RM-1428.

1. In response to a petition of the Pacific Broadcasting Corp. (licensee of KUAM-TV, Channel 8, Agana, Guam) filed on March 21, 1969, the Commission adopted, on March 18, 1970, a notice of proposed rule making, released March 20, 1970 (FCC 70-301) in the above-entitled matter which proposed various television reallocations (to be discussed below) at Agana, Guam. Interested parties were afforded an opportunity to comment on or before April 27, 1970, and to reply to such comments on or before May 8, 1970. One brief comment was filed by the Pacific Broadcasting Corp. supporting the reallocations proposed in the Commission's notice.

2. According to the 1960 U.S. Census, Agana, Guam (city and heights) has a population of 4,852 persons, while 67,044 persons reside in Guam. Agana has assigned to it Channels *3, 8, and *10. At the present time petitioner's operation KUAM-TV, on Channel 8, is the only service originating in Agana. In addition, it uses the facilities of the U.S. Navy for translator purposes on Channel *10. On April 13, 1970, the Guam Educational Telecommunications Commission filed an application (BPET-367) to establish an educational service for the island. Although the application specifies Channel *10 it was made with full knowledge of the proposals pending in this proceeding and with the intention to amend to specify operation on Channel *12 if it was ultimately assigned. Channel *3 has no application pending for its use.

3. Our notice proposed to revise the above allocations by proposing the assignment of Channels *4 and *12 as reserved assignments and the deletion of Channel *3 and the deletion of the reservation on Channel *10, all at Agana, Guam. The action proposed would change the television assignments at Agana to read Channels *4, 8, 10, and

[Docket No. 17586; FCC 70-693]

PART 87—AVIATION SERVICES

Operator Requirements

Report and order. 1. The Commission on July 12, 1967, adopted a notice of proposed rule making in the above-entitled matter (FCC 67-818) which made provision for the filing of comments. The notice was published in the FEDERAL REGISTER on July 20, 1967 (32 F.R. 10665). The dates for comments and reply comments were extended by an order adopted by the Commission on August 18, 1967. The time for filing comments has passed.

2. The purpose of the notice of proposed rule making was to place operator requirements in Part 87 in order to obviate reference to Part 13 and because of the differing requirements for the various services.

3. Comments were received from Collins Radio Co. and Aeronautical Radio, Inc. (ARINC). While supporting the inclusion of operator requirements in Part 87 both Collins and ARINC suggested changes in the proposed rules.

4. ARINC suggested an editorial change in proposed § 87.133, which has been incorporated below. ARINC suggested, also, that the provision for unlicensed persons to communicate over land stations be applicable only when stations are transmitting on frequencies above 25 Mc/s with power of 25 watts or less. The latter suggestion was made so that, according to ARINC, the provisions of Part 87 would be similar to those of Parts 89, 91, and 93 and in order to preclude the possibility of unlicensed or unqualified persons communicating over the facilities of high-power stations operating on frequencies below 25 Mc/s.

5. As proposed and as set forth below, the rules permit unlicensed persons to use the facilities only under the direct supervision of the licensed operator. Compliance with these rules should provide ample safeguard to preclude improper use of station facilities by unlicensed or unqualified persons. A further restriction as suggested by ARINC does not appear warranted. A station licensee could, himself, restrict the use of his station to those employees who hold a certain class FCC permit if he felt that this was desirable from his own operational standpoint.

6. Collins points out that a new restriction is imposed which does not presently appear in Part 13 of the rules. This restriction would preclude the operation of aircraft radio stations by holders of Restricted Radiotelephone Operator Permits (RP) on frequencies which are not allocated exclusively to the aeronautical mobile service. Collins comments are directed specifically to the use of marine frequencies for communication with coast stations and frequencies used for developmental purposes. The essence of Collins comment is that the issuance of the required third class licenses will place an unnecessary burden on both the Commission and the pilots.

7. In the promulgation of these rules, the Commission is guided by Article 23

*12. Petitioner vigorously supports the reallocations proposed which would, inter alia, provide an upper VHF channel, *12, in place of *10, for the noncommercial educational service proposed by the Guam Educational Telecommunications Commission. It supports its position with two sets of arguments: First, petitioner uses a U.S. Navy translator on Channel *10 to supply various other translators on the island of Guam with its broadcast service from Channel 8, at Agana. Of course, if Channel *10 were used for a full educational service, the channel would no longer be available to petitioner for repeater use. It maintains that the denial of the use of Channel *10 for repeater use would place an undue financial burden on it by forcing it to purchase new equipment for a repeater which would have to be established on a new channel, and that the loss of the use of the translator on Channel *10 would disrupt existing viewing patterns on the island of Guam. Second, petitioner maintains that a full activation of Channel *10 at Agana could interfere with the full development of Channel 10 on Saipan where, following concurrence by the Commission, the Office of Telecommunications Management approved low-power television facilities on Channels 8 and 10 which were activated by petitioner in October, 1969. Petitioner also indicates the statement made by the Guam Educational Telecommunications Commission in its application's Engineering Statement dated, March 23, 1970: "Applicant is cognizant of the Petition for Rule Making currently before the Commission filed by Pacific Broadcasting Inc., * * *. Applicant supports this Petition and should it be granted by the Commission, * * * welcomes assignment of Channel 12 in lieu of the Channel 10 facilities requested in the instant application."

4. In view of the factors set out above—the availability, from an engineering point of view, of Channel 12, the apparent viewing patterns on Guam, the support of both petitioner and the Guam educational interest as well as the complete absence of any opposing interest we are of the view that it is in the public interest to implement that segment of our proposal which deletes the noncommercial educational reservation on Channel 10 and replaces it with a new reserved channel, *12.¹

5. In addition to the above action, petitioner and our Notice proposed the replacement of Channel *3 with Channel *4 so as to make the Guam allocations more orderly and to provide the potential of additional future service on Channel 2 in the event the need for such an assignment arises. The above proposal was made on the condition that Channel 4 (frequency band 66-72 MHz), which is

reserved until July 1, 1970 in Guam, Mariana Islands for Government use by agreement with the Commission in 1964, would be released for civilian service. By letter dated March 30, 1970, this Commission was advised by the Office of Telecommunications Management that the need for the use of Channel 4 for Government use in the Guam, Mariana Islands sector has been concluded and that the frequency is presently available for the broadcast service. In light of the above notification and the proposal in our notice to do so, we are deleting, in Part 73 of our rules, § 73.603(d), and in Part 2 of our rules footnote US95 in § 2.106, the Table of Frequency Allocations.² This action, of course, enables us to replace the Channel *3 assignment with a Channel *4 assignment at Agana, and we so do to advance the public interest by establishing a more efficient present and potential use of frequencies at Guam.³

6. Authority for the actions taken herein, is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

7. Accordingly, it is ordered, That effective August 17, 1970, the Table of Assignments in § 73.606(b) of the Commission's rules is amended, insofar as the city listed below is concerned to read as follows:

City	Channels
Agana, Guam-----	*4, 8, 10, *12

8. It is further ordered, That, effective August 17, 1970, in Part 73 of our rules and regulations, § 73.603(d) is deleted and that in Part 2 of our rules, in § 2.106, the Table of Frequency Allocations, Footnote US95 is deleted from the 57-72 MHz band in Column 5, and, also, from the list of U.S. footnotes.

9. It is further ordered, That the construction permit of the Guam Educational Telecommunications Commission (BPET-367) granted on June 12, 1970 for educational operation on Channel *10 at Agana, Guam is modified to specify operation on Channel *12 at Agana, Guam and that the permittee promptly file any new engineering data required to facilitate the issuance of a construction permit modified for channel *12 operation.

10. It is further ordered, That this proceeding is terminated.

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

Adopted: July 1, 1970.

Released: July 8, 1970.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-8849; Filed, July 10, 1970;
8:48 a.m.]

¹ In light of the expressed desire and intention of the Guam Educational Telecommunications Commission to operate on Channel *12 after its assignment to Agana, we are treating its application (BPET-367) for Channel *10 as an application for Channel *12.

² The two items deleted are our provisions codifying the presently existing reservation of Channel 4 for Government use.

³ There has been an indication that there is interest in establishing a noncommercial educational service on Channel 4 at Guam.

of the Radio Regulation of the International Telecommunication Union (ITU). This Article sets forth the class of operator certificate to be held by the operator of an aircraft radio station and the conditions for issuance of the certificate. A radiotelephone operator's restricted certificate is a minimum requirement specified by the Radio Regulation for operation of an aircraft station including those stations using maritime mobile frequencies. The Commission issues its Radiotelephone Third-Class Operator Permit in conformity with the ITU conditions for the issuance of the certificate specified in RR 899.

8. The Radio Regulations also provide in Regulation 903:

For * * * aircraft radiotelephone stations operating on frequencies allocated exclusively to the aeronautical mobile service, each administration may itself fix the conditions for obtaining a * * * certificate.

The Commission's Restricted Radiotelephone Operator Permit is issued in conformity with RR 903.

9. Therefore, in conformity with international regulations, an aircraft station using frequencies allocated exclusively to the aeronautical mobile service may be operated by a holder of a Restricted Radiotelephone Operator Permit. When using other frequencies at least a third-class permit holder is required.

10. Operator examinations are given at frequent intervals both at district offices and at other locations and, therefore, we do not feel that a requirement for an examination is particularly burdensome.

11. As a separate matter, officials of State agencies have requested relief from the requirement for licensed radio operators at aeronautical multicom stations used for communications in fighting forest fires. These requests point out that firefighting personnel are often employed during season of high forest fire activity. In their activities these persons need to communicate with stations aboard aircraft also engaged in firefighting. The need to employ only persons having an operator permit or having new employees acquire permits is said to be a handicap in fighting forest fires. In order to meet the need for employees on an emergency basis, provisions are included in § 87.139 for the employment of unlicensed operators for temporary periods. In view of the fact that several States will shortly be entering their forest fire season, the rule amendments set forth below are effective immediately for all aeronautical multicom stations which are operated in connection with the fighting of forest fires.

12. In view of the foregoing: *It is ordered*, That pursuant to the authority contained in sections 4(i), and 303(b) (c) (f) and (r) of the Communications Act of 1934, as amended, Part 87 of the Commission's rules is amended effective January 1, 1971, as set forth below.

13. *It is further ordered*, That this proceeding in Docket 17586 is hereby terminated.

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

Adopted: July 1, 1970.

Released: July 8, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

1. The table of contents in Part 87 is amended by the addition of the following entries in proper numerical sequences and the deletion of §§ 87.187, 87.259 and 87.517 as follows:

Sec.	
87.133	General operator requirements.
87.135	Transmitter adjustments and tests by operator.
87.136	Operation of transmitter controls.
87.137	Radio stations using radiotelegraphy.
87.139	Operator licenses not required for certain operations.

2. Section 87.133 is added to read as follows:

§ 87.133 General operator requirements.

Except as provided for in § 87.135, § 87.139 or as limited on the face of the operator license or permit, all stations in the Aviation Services shall be operated by persons holding any class of commercial radio operator license or permit issued by the Commission: *Provided*, That, for aircraft radiotelephone stations operating on frequencies other than those allocated exclusively to the aeronautical mobile service, such stations in the Aviation Services may be operated only by a person holding, as a minimum, a third-class operator's permit, either radiotelephone or radiotelegraph. The licensed operator of a land or aeronautical public service station using telephony may permit other persons to transmit or to communicate under his direct supervision and responsibility over the facilities of the station in accordance with the terms of the station license.

3. Section 87.135 is added to read as follows:

§ 87.135 Transmitter adjustments and tests by operator.

All transmitter adjustments or tests during or coincident with the installation, servicing, or maintenance of a radio station, which may affect the proper operation of such station, shall be made by or under the immediate supervision and responsibility of a person holding a radiotelephone or radiotelegraph first or second-class operator license who shall be responsible for the proper functioning of the station equipment: *Provided, however*, That only a person holding a radiotelegraph first or second-class operator license shall perform such functions at radiotelegraph stations transmitting by any type of the Morse Code.

4. Section 87.136 is added to read as follows:

§ 87.136 Operation of transmitter controls.

(a) Operation of a station by the holder of a radiotelephone or radiotelegraph third-class operator permit or a restricted radiotelephone operator permit shall be subject to the condition that the operation of the transmitter shall require only the use of simple external switching devices, excluding all manual adjustment of frequency determining

elements, and the stability of the frequencies shall be maintained by the transmitter itself within the limits of tolerance specified by § 87.65 or the station license. In addition, when using an aircraft radio station on maritime mobile service frequencies the carrier power of the transmitter shall not exceed 250 watts (emission A3) or 1000 watts (emission A3A, A3H, A3J).

(b) When a station is used for telegraphy, transmitted manually by any type of the Morse Code, the transmitting telegraph key shall be manipulated only by a person who holds a radiotelegraph operator license or permit of the proper class as specified in § 87.137.

5. Section 87.137 is added to read as follows:

§ 87.137 Radio stations using radiotelegraphy.

(a) Except as provided in § 87.135 and paragraph (b) of this section an aircraft radio station when transmitting radiotelegraphy by any type of the Morse Code shall be operated by a person holding a radiotelegraph first- or second-class operator license bearing an aircraft radiotelegraph endorsement.

(b) When the aircraft is not in flight said endorsement is not required.

(c) Except as provided in §§ 87.135 and 87.139 a station other than an aircraft station, when transmitting by any type of the Morse Code, shall be operated by a person holding any class of radiotelegraph license or permit.

6. Section 87.139 is added to read as follows:

§ 87.139 Operator licenses not required for certain operations.

(a) Operator licenses are not required for the following:

(1) Flight personnel when concerned with the operation of airborne radar sets, radio altimeters, transponders and other airborne automatic radionavigation aids.

(2) Operation of a survival craft station while it is being used solely for survival purposes.

(3) Operation of any radio station authorized under this part which retransmits by automatic means communications received by radio.

(b) When being used in connection with fighting a forest fire, an aeronautical multicom station may be operated by an unlicensed person who is employed on a temporary basis, provided that:

(1) The station licensee has determined that use of unlicensed personnel is necessary for the fire fighting operation, and

(2) Operation by an unlicensed person shall be confined to transmitters which may be operated by the holder of a third-class or restricted permit as specified in § 87.136(a).

NOTE: Whenever the term "license" is used generally to denote an operator authorization it includes "permit".

§§ 87.187, 87.259, 87.517 [Deleted]

7. Sections 87.187, 87.259, and 87.517 are deleted in their entirety from Part 87.

[F.R. Doc. 70-8850; Filed, July 10, 1970; 8:48 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of Designated Areas

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1914.4 List of designated areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
California	Los Angeles	Unincorporated areas.	E 06 037 0000 01 through E 06 037 0000 06	Department of Water Resources, Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	Office of the County Engineer, Room 708, County Engineering Bldg., 108 West Second St., Los Angeles, Calif. 90012.	July 10, 1970.
Florida	Collier	do	E 12 021 0000 01 et seq.	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303. State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	Office of the County Manager, Collier County Courthouse, Naples, Fla. 33940.	Do.
Do.	Manatee	Holmes Beach	E 12 081 1430 01	do	Office of the City Clerk, City of Holmes Beach, 5901 Marina Drive, Holmes Beach, Fla. 33510.	Do.
Do.	Santa Rosa	Gulf Breeze	E 12 113 1245 01	do	City Hall, City of Gulf Breeze, Post Office Box 640, Gulf Breeze, Fla. 32561.	Do.
Do.	Sarasota	Unincorporated areas.	E 12 115 0000 01 et seq.	do	Office of the Clerk to the County Commission, Sarasota County Courthouse, Room 21, Sarasota, Fla. 33578.	Do.
Louisiana	Jefferson (Parish)	Unincorporated areas.	E 22 051 0000 01 et seq.	Louisiana Department of Public Works, Baton Rouge, La. 70804. Commissioner of Insurance, State of Louisiana, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Jefferson Parish Department of Sanitation, 648 Helois St., Metairie, La. 70005. West Bank Drainage District, 1972 Ames Blvd., Marrero, La. 70072.	Do.
Do.	Orleans (Parish)	New Orleans	E 22 071 1690 02 et seq.	do	City Planning Commission, Room 4W04 City Hall, 1300 Perdido St., New Orleans, La. 70112.	Do.
Massachusetts	Norfolk	Norfolk	E 25 021 0877 01	Division of Water Resources, State Office Bldg., Government Center, 100 Cambridge St., Boston, Mass. 02202. Division of Insurance, 100 Cambridge St. Boston, Mass. 02202.	Office of the Town Clerk, Town Hall, Norfolk, Mass. 02056.	Do.
Do.	Plymouth	Wareham	E 25 023 1360 01	do	Selectmen's Office, Memorial Town Hall, Wareham, Mass. 02571.	Do.
Missouri	Boone	Columbia	E 29 019 1800 01 E 29 019 1800 02	Water Resources Board, Box 271, Jefferson City, Mo. 65101. Division of Insurance, Department of Business and Administration, Box 690, Jefferson City, Mo. 65101.	Office of the City Clerk, Municipal Bldg., Columbia, Mo. 65201.	Do.
New Jersey	Atlantic	Longport Borough.	E 34 001 1770 01 E 34 001 1770 02	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Borough Clerk's Office, Borough Hall, 2301 Atlantic Ave., Longport, N.J. 08403.	Do.
Do.	do	Margate City	E 34 001 1830 01	do	Office of the City Clerk, Washington and Ventnor Aves., Margate City, N.J. 08402.	Do.
Do.	Cape May	Cape May City	E 34 009 0530 01	do	Office of the Building Inspector, Cape May City Hall, Cape May, N.J. 08240.	Do.
Do.	Morris	Denville Township.	E 34 027 0745 01 E 34 027 0745 02	do	Township Clerk's Office, Municipal Bldg., 95 East Main St., Denville, N.J. 07834.	Do.
Do.	Passaic	Wayne Township.	E 34 031 3522 01 through E 34 031 3522 04	do	Office of the Township Clerk, Town Hall, Valley Road, Wayne Township, N.J. 07470.	Do.
Do.	Union	Clark Township.	E 34 039 0616 01	do	Office of the Township Engineer, Municipal Bldg., Westfield Ave., Clark, N.J. 07066.	Do.
Texas	Jefferson	Pear Ridge	E 48 245 5250 01 through E 48 245 5250 04	Texas Water Development Board, 301 West Second Street, Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Pear Ridge City Hall, 3540 Ninth Ave., Pear Ridge, Tex. 77640.	Do.

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

Issued: July 10, 1970.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[F.R. Doc. 70-8804; Filed, July 10, 1970; 8:45 a.m.]

PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

List of Flood Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of flood hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
California	Los Angeles	Unincorporated areas.	T 06 037 0000 01 through T 06 037 0000 06	Department of Water Resources, Box 388, Sacramento, Calif. 95802.	Office of the County Engineer, Room 708, County Engineering Bldg., 108 West Second St., Los Angeles, Calif. 90012.	July 10, 1970.
Florida	Collier	do	T 12 021 0000 01 et seq.	California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	Office of the County Manager, Collier County Courthouse, Naples, Fla. 33940.	Do.
Do.	Manatee	Holmes Beach	T 12 081 1430 01	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303.	do	Do.
Do.	Santa Rosa	Gulf Breeze	T 12 113 1245 01	State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	do	Do.
Do.	Sarasota	Unincorporated areas.	T 12 115 0000 01 et seq.	do	Office of the Clerk to the County Commission, Sarasota County Courthouse, Room 21, Sarasota, Fla. 33578.	Do.
Louisiana	Jefferson (Parish)	Unincorporated areas.	T 22 051 0000 01 et seq.	Louisiana Department of Public Works, Baton Rouge, La. 70804.	Jefferson Parish Department of Sanitation, 648 Helois St., Metairie, La. 70005.	Do.
Do.	Orleans (Parish)	New Orleans	T 22 071 1690 02 et seq.	Commissioner of Insurance State of Louisiana, Box 44214, Capitol Station, Baton Rouge, La. 70804.	West Bank Drainage District, 1972 Ames Blvd., Marrero, La. 70072.	Do.
Massachusetts	Norfolk	Norfolk	T 25 021 0877 01	do	City Planning Commission, Room 4W04 City Hall, 1360 Perdido St., New Orleans, La. 70112.	Do.
Do.	Plymouth	Wareham	T 25 023 1360 01	Division of Water Resources, State Office Bldg., Government Center, 100 Cambridge St., Boston, Mass. 02202.	Office of the Town Clerk, Town Hall, Norfolk, Mass. 02056.	Do.
Do.	Missouri	Boone	T 29 019 1800 01 T 29 019 1800 02	Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Selectmen's Office Memorial Town Hall, Wareham, Mass. 02571.	Do.
New Jersey	Atlantic	Longport Borough.	T34 001 1770 01 T34 001 1770 02	Water Resources Board, Box 271, Jefferson City, Mo. 65101.	Office of the City Clerk, Municipal Bldg., Columbia, Mo. 65201.	Do.
Do.	do	Margate City	T 34 001 1830 01	Department of Insurance, Department of Business and Administration, Box 690, Jefferson City, Mo. 65101.	Borough Clerk's Office, Borough Hall, 2301 Atlantic Ave., Longport, N.J. 08403.	Do.
Do.	Cape May	Cape May City	T 34 000 0530 01	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625.	Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Do.
Do.	Morris	Denville Township.	T 34 027 0745 01 T 34 027 0745 02	do	Office of the City Clerk, Washington and Ventnor Aves., Margate City, N.J. 08402.	Do.
Do.	Passaic	Wayne Township.	T 34 031 3522 01 through T 34 031 3522 04	do	Office of the Building Inspector, Cape May City Hall, Cape May, N.J. 08240.	Do.
Do.	Union	Clark Township.	T 34 039 0616 01	do	Township Clerk's Office, Municipal Bldg., 95 East Main St., Denville, N.J. 07834.	Do.
Texas	Jefferson	Pear Ridge	T 48 245 5250 01 through T 48 245 5250 04	do	Office of the Township Clerk, Town Hall, Valley Road, Wayne Township, N.J. 07470.	Do.
				do	Office of the Township Engineer, Municipal Bldg., Westfield Ave., Clark, N.J. 07066.	Do.
				Texas Water Development Board, 301 West Second St., Austin, Tex. 78711.	Pear Ridge City Hall, 3540 Ninth Ave., Pear Ridge, Tex. 77640.	Do.
				State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.		

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

Issued: July 10, 1970.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[F.R. Doc. 70-8805; Filed, July 10, 1970; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1046]

PART 1033—CAR SERVICE

Toledo, Peoria & Western Railroad Co. Authorized To Operate Over Tracks of Peoria and Pekin Union Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 7th day of July 1970.

It appearing, that because of severe damage to the Toledo, Peoria & Western Railroad Co.'s Illinois River Bridge, the Toledo, Peoria & Western Railroad Co., is unable to serve shippers; that the Peoria and Pekin Union Railway Co. has agreed to permit the Toledo, Peoria & Western Railroad Co. to operate over its tracks between P. & P.U. Junction, East Peoria, Tazewell County, Ill., and Iowa Junction, Peoria, Peoria County, Ill., a distance of approximately 4.53 miles; that the Commission is of the opinion that operation by the Toledo, Peoria & Western Railroad Co., over

these tracks of the Peoria and Pekin Union Railway Co., is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice:

It is ordered, That:

§ 1033.1046 Service Order No. 1046.

(a) *Toledo, Peoria & Western Railroad Co., authorized to operate over tracks of the Peoria and Pekin Union Railway Co.* The Toledo, Peoria & Western Railroad Co. be, and it is hereby, authorized to operate over tracks of the Peoria and Pekin Union Railway Co. between P. & P.U. Junction, East Peoria, Tazewell County, Ill., and Iowa Junction, Peoria, Peoria County, Ill.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic, as well as to interstate traffic.

(c) *Rates applicable.* Inasmuch as this operation by the Toledo, Peoria & Western Railroad Co. over tracks of the Peoria and Pekin Union Railway Co. is deemed to be due to carrier's disability, the rates applicable to traffic moved by the Toledo, Peoria & Western Railroad Co. over these tracks of the Peoria and Pekin Union Railway Co. shall be the rates which were applicable on the ship-

ments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 12:01 a.m., July 8, 1970.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., December 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-8882; Filed, July 10, 1970; 8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Priority of Distributions in Redemption of Stock to Pay Death Taxes

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in triplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designed as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL]

WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

Section 1.303-2 of the Income Tax Regulations (26 CFR Part 1), relating to the requirements for distributions in redemption of stock to pay death taxes, is amended by revising paragraph (g) to read as follows:

§ 1.303-2 Requirements.

(g) (1) The total amount of the distributions to which section 303 may apply with respect to redemptions of stock included in the gross estate of a decedent may not exceed the sum of the estate, inheritance, legacy, and succession taxes (including any interest collected as a part of such taxes) imposed because of the decedent's death and the amount of funeral and administration expenses allowable as deductions to the estate. Where there is more than one distribution in redemption of stock described in section 303(b) (2) during the period of

time prescribed in section 303(b) (1), the distributions shall be applied against the total amount which qualifies for treatment under section 303 in the order in which the distributions are made. For this purpose, all distributions in redemption of such stock shall be taken into account, including distributions which under another provision of the Code are treated as in part or full payment in exchange for the stock redeemed.

(2) Subparagraph (1) of this paragraph may be illustrated by the following example:

Example. (1) The gross estate of the decedent has a value of \$800,000, the taxable estate is \$500,000, and the sum of the death taxes and funeral and administrative expenses is \$225,000. Included in determining the gross estate of the decedent is the stock of a corporation which for Federal estate tax purposes is valued at \$150,000. During the first year of administration, one-third of such stock is distributed to a legatee and shortly thereafter this stock is redeemed by the corporation for \$150,000. During the second year of administration, another one-third of such stock includible in the estate is redeemed for \$150,000.

(2) The first distribution of \$150,000 is applied against the \$225,000 amount that qualifies for treatment under section 303, regardless of whether the first distribution was treated as in payment in exchange for stock under section 302(a). Thus, only \$75,000 of the second distribution may be treated as in full payment in exchange for stock under section 303. The tax treatment of the remaining \$75,000 would be determined under other provisions of the Code.

[F.R. Doc. 70-8886; Filed, July 10, 1970; 8:51 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 70-EA-43]

CONTROL ZONE AND TRANSITION AREAS

Proposed Alteration

The Federal Aviation Administration is proposing to amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Syracuse, N.Y., control zone (35 F.R. 2125) and transition area (35 F.R. 2272) and Fulton, N.Y., transition area (35 F.R. 2184).

The U.S. Standard for Terminal Instrument Approach Procedures requires alteration of the Syracuse control zone and transition area to provide the necessary controlled airspace to protect aircraft executing the instrument approach procedures for Clarence E. Hancock Airport, Syracuse, N.Y.

We will also require alteration of the Fulton transition area to delete the exclusion referring to the Syracuse transition area, since as a result of the proposed alteration of the Syracuse transition area, the transition areas will no longer overlap. In addition, the alteration will reflect the change in the name of the Fulton Municipal Airport to Oswego County Airport.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Syracuse, N.Y., and Fulton, N.Y., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Syracuse, N.Y., control zone and insert the following in lieu thereof:

Within a 5-mile radius of the center 43°06'50" N., 76°06'35" W. of Clarence E. Hancock Airport, Syracuse, N.Y.; and within 2.5 miles each side of the Clarence E. Hancock Airport Runway 10 ILS localizer back course, extending from the 5-mile radius zone to 5 miles west of the localizer, excluding that airspace within a 1-mile radius of the center 43°11'00" N., 76°07'00" W. of Cicero Airpark, Cicero, N.Y.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to:

(a) Delete the description of the Syracuse, N.Y., transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center 43°06'50" N., 76°06'35" W. of

Clarence E. Hancock Airport, Syracuse, N.Y.; within 9.5 miles north and 4.5 miles south of the Clarence E. Hancock Airport Runway 28 ILS localizer course, extending from the OM to 18.5 miles east of the OM; and within 9.5 miles north and 4.5 miles south of the Clarence E. Hancock Airport Runway 10 ILS localizer back course, extending from the localizer to 26 miles west of the localizer.

(b) Delete the description of the Fulton, N.Y., transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 42°21'05" N., 76°23'20" W. of Oswego County Airport, Fulton, N.Y.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on June 22, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 70-8831; Filed, July 10, 1970;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 43]

[Docket No. 18895; FCC 70-695]

TELEPHONE COMPANIES

Relieving of Obligation of Filing Certain Traffic Arrangements With FCC

In the matter of amendment of § 43.51 of the Commission's rules to relieve telephone companies of the obligation to file certain traffic arrangements with the Commission; Docket No. 18895.

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

2. The purpose of this notice is to give interested persons an opportunity to comment on a proposed amendment to § 43.51 of the Commission's rules, set forth below, which would relieve telephone companies of the obligation of filing the texts of traffic agreements between such companies and connecting carriers with the Commission. This amendment would require a separate file, accessible to Commission staff and members of the public, to be maintained by telephone companies consisting of all contracts and amendments thereto entered between said telephone companies and connecting carriers, including all contracts previously filed with the Commission. This amendment would further require subject telephone companies to forward individual contracts to the Commission upon request.

3. The proposed amendment applies only to contracts between subject carriers and connecting carriers. Carriers will continue to file contracts with other fully subject carriers, as well as contracts relating to rights granted by foreign governments (§ 43.51(a)(2)) or to traffic

between the United States and overseas points including traffic transiting the United States.

4. This proposed amendment is issued pursuant to authority contained in sections 4(i) and 211(b) of the Communications Act of 1934.

5. In accordance with applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before September 1, 1970, and reply comments on or before September 15, 1970. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision the Commission may also take into account other relevant information before it in addition to the comments invited by this notice.

6. Pursuant to the provisions of § 1.419 of the rules and regulations, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: July 1, 1970.

Released: July 8, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

In Part 43 of Chapter I of Title 47 of the Code of Federal Regulations, § 43.51 is revised to read as follows:

§ 43.51 Contracts and concessions.

(a) Each communication common carrier shall file with the Commission, within thirty (30) days of execution (or within 30 days of a carrier first becoming subject to the provisions of this section) a copy of each contract, agreement, concession, license, authorization, or other arrangement to which it is a party with respect to communication traffic affected by the Communications Act of 1934, as amended, relating to the following:

(1) The exchange of services between such carrier and any carrier not subject to the act;

(2) Except as provided in paragraph (e) of this section, the interchange or routing of traffic and matters concerning rates, division of tolls, or the basis of settlement of traffic balances; or

(3) Rights granted to the carrier by any foreign government for the landing, connection, installation, or operation of cables, land lines, radio stations, offices, or for otherwise engaging in communication operations.

(b) A copy of each modification, amendment, or cancellation of any instrument required to be filed under the provisions of paragraph (a) of this section shall likewise be filed within thirty (30) days after execution.

(c) If any contract, agreement, concession, license, authorization, or other arrangement, or change therein, as con-

¹ Commissioners Johnson and H. Rex Lee concurring in the result.

templated in paragraphs (a) and (b) of this section, is made other than in writing, a certified statement covering all details thereof shall be filed within thirty (30) days from the date it is made.

(d) Upon the filing of any item required by paragraphs (a) to (c) of this section by one of two or more carriers subject to these provisions, each other party to the agreement may, in lieu of also filing a copy thereof, file a certified statement appropriately identifying the document and concurring in the contents thereof, as filed.

(e) With respect to contracts coming within the scope of paragraph (a)(2) of this section between subject and connecting carriers, the text of such contracts need not be filed with the Commission; but carriers shall maintain a separate file, readily accessible to Commission staff and members of the public, of all such contracts and amendments thereto; and upon request by the Commission, carriers shall forward individual contracts to the Commission.

[F.R. Doc. 70-8851; Filed, July 10, 1970;
8:48 a.m.]

[47 CFR Part 73]

[Docket No. 18905; FCC 70-707]

FM BROADCAST STATIONS

Table of Assignments; Southern Pines, N.C., etc.

In the matter of amendment of § 73.202, *Table of assignments*, FM broadcast stations (Southern Pines, N.C.; Greenville, Tex.; Monticello, N.Y.; Grundy Center and Independence, Iowa; Sulphur, Okla.; Antigo, Wis.; Millington, Tenn.; Calhoun City, Miss.; Cuba, Mo.; and Kentland, Ind.); Docket No. 18905, RM-1465, RM-1469, RM-1472, RM-1557, RM-1558, RM-1573, RM-1574, RM-1583, RM-1584, RM-1585, RM-1586, RM-1601.

1. Notice is hereby given of proposed rule making in the above-entitled matter, concerning amendments to the FM Table of Assignments in § 73.202 of the rules. All proposed assignments, except where noted, are alleged and appear to meet the minimum mileage requirements of the rules. Any assignments proposed within 250 miles of the United States-Canadian border will require coordination with the Canadian Government, under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963. Except as otherwise noted, the population figures are extracted from the 1960 U.S. Census.

2. RM-1573 and 1586, *Southern Pines, N.C.* (William R. Gaston) (Sandhill Community Broadcasters, Inc.); RM-1574, *Greenville, Tex.* (Dennis M. Henderson, J. P. Bowen, Jr., and Franklin Rowe); RM-1583, *Monticello, N.Y.* (Monticello Radio Co.); RM-1584, *Grundy Center, Iowa* (PBW Broadcasting Corp.); RM-1585, *Independence, Iowa* (Leighton Enterprises, Inc.); RM-1601, *Sulphur, Okla.* (Ron Richord).

In the above cases interested parties are seeking the addition of a first Class A channel to a community presently having no assignment, without requiring any other changes in the Table. Two of the petitions, RM-1573 and RM-1586, each request the assignment of the same channel to Southern Pines, N.C. The listed communities range in population from 2,403 persons for Grundy Center, Iowa, to 19,087 for Greenville, Tex. All of the communities, except Monticello, N.Y., are seats of their respective counties. Monticello is the largest community of Moore County, population 36,733. Greenville, Tex. has a Class IV AM station, and Southern Pines, N.C., and Independence, Iowa, each have a daytime-only AM station. The remaining three communities have no local radio outlet. None of the places is located in an urbanized area (1960 U.S. Census) and each appears to warrant the requested assignment. Comments are therefore being invited on the following proposed additions to the Table:

City	Channel No.
Southern Pines, N.C.	266A
Greenville, Tex.	228A
Monticello, N.Y.	252A
Grundy Center, Iowa	249A
Independence, Iowa	237A
Sulphur, Okla.	265A

¹ Use of Channel 249A will require a transmitter site about 1 mile north of Grundy Center.

3. RM-1465, Antigo, Wis. On June 16, 1969, a petition was filed by Antigo Broadcasting Co. (supplemented on July 22, 1969) requesting substitution of a Class C channel for the presently assigned Class A channel at Antigo, Wis. as follows:

City	Channel No.	
	Present	Proposed
Antigo, Wis.	285A	287

Antigo is the county seat of Langlade County, populations 9,691 and 19,916, respectively. The only local outlet operating from within the county is Station WATK (AM), 250 watts, daytime, licensed to petitioner at Antigo. FM Channel 285A at Antigo has not been applied for since its assignment there in the original Table of Assignments (1963).

4. Petitioner submits that it enjoys wide-area coverage from its 250-watt AM daytime operation and that use of the presently assigned Class A channel would be ineffective in accomplishing its aim of duplicating the WATK (AM) daytime coverage. It is urged that the requested Class C channel will permit a first FM service to a substantial area east and north of Antigo and provide a first fulltime service to a wide area now limited to daytime reception only.

5. A comparison is made by petitioner of the 1 mv/m coverages from a maximum Class A facility with an assumed Class C operation of 75kw and 500 feet,

both at Antigo.² Based on this study, it is contended that, while no new first or second FM service area would be developed by the Class A facility, the assumed Class C operation would enable substantial areas to receive a first and second fulltime FM service. The areas in square miles and populations that would gain such service is not stated. The study does not include consideration of the second Class C assignment at Rhineland or the actual site employed by Station WRVM (FM), Suring. Proper considerations of the latter would materially alter the new service areas claimed. Moreover, the showings are not entirely in accord with criteria customarily accepted for showings of this sort.³

6. Petitioner concludes from its analysis of the preclusion impact caused by substituting Channel 287 for 285A that Channels 284 and 285A would not be affected to a greater extent than is presently caused by Channel 285A at Antigo. Channels 286 and 287 would be precluded from assignment in relatively small areas of the Michigan Upper Peninsula, which it is claimed contain no large cities without an FM assignment. Channel 288A would be involved in a large area, including parts of northern Wisconsin and the upper peninsula, for which petitioner states several other channels are available. Potential assignments on Channels 289 and 290 would not appear to be affected if the petitioner's proposal were adopted.

7. Except in instances where it can be clearly demonstrated that significant gains in first or second service would be provided, wide-coverage Class B-C channels are not ordinarily assigned in lieu of Class A channels for places the size of Antigo (less than 10,000). We are unable to determine from the evidence before us that sufficient justification exists to warrant an exception in this case. However, we are instituting rule making on petitioner's request in order that all interested parties may have ample opportunity to file comments and additional data. Our ultimate decision on whether a Class C channel should be substituted for the present Class A assignment at Antigo will be based, among other considerations, on an acceptable showing of areas, including populations, that would

² Petitioner does not state what facilities it intends to apply for if the proposed Class C channel were assigned.

³ See further notice of proposed rule making, RM-1034, Docket 17095, FCC 67-665, 32 F.R. 8530 (1967), which states that first and second FM service determinations shall be based on the assumption that all channels (both those with operating stations and unoccupied) are used by stations with maximum Class A facilities and Class C facilities of 75kw ERP and 500 feet a.a.t., except that in cases where the Class C stations are authorized greater facilities (more than 75kw./500 feet), the greater facilities shall be used. The petitioner's showings did not include an individual exhibit portraying the combination of minimum assumed (or greater) facilities for both occupied and vacant assignments in the area.

receive a first or second FM service by the requested change. Such showing should be based on actual Class C facilities proponent intends applying for if the change were adopted.

8. RM-1469 and RM-1472, Millington, Tenn., and Calhoun City, Miss. Two conflicting petitions were received, one filed by Mr. Albert L. Crain, seeking assignment of a first FM channel at Millington, Tenn., and the other by Calhoun Broadcasting Co., requesting a first channel to Calhoun City, Miss. Both petitions are discussed below.

9. Millington, Tenn. The Millington petitioner requests assignment of Channel 232A to Millington, Tenn., by making other changes, as follows:

City	Channel No.	
	Present	Proposed
Millington, Tenn.	232A	232A
Oxford, Miss.	237A	221A
Senatobia, Miss.	232A	237A

None of the assignments proposed to be moved are occupied. Millington had a 1960 population of 6,059 persons and is located in the Memphis Standard Metropolitan Statistical Area (Shelby County), population 627,019, but outside the urbanized area.⁴ Millington presently has a daytime-only AM station, but no FM assignment. Nearby Memphis (approximately 15 miles distant) has a total of 15 aural outlets, consisting of 6 unlimited and 3 daytime AM stations and six Class C FM stations, most of which, if not all, would also appear to provide service to Millington.

10. The Millington petitioner shows that if Channel 237A is deleted from Senatobia, the channel may be used at Millington, providing a site is selected about 7 miles southeast thereof, from which location it is claimed that the city would be furnished with the required minimum signal strength. The site assumed for the showing is approximately equi-distant from the Memphis north-eastern city limits. The possible preclusion that would be caused on Channels 229 through 235 is not evaluated by the petitioner, as is now required when requesting assignments in communities near large population centers having multiple services. (See public notice, "Policy to Govern Requests for Additional FM Assignments," released May 12, 1967 (FCC 67-577, 9 R.R. 2d 1245).)

11. The proposed substitution of Channel 237A for 232A at Senatobia requires deletion of 237A from Oxford, for which substitution of Channel 221A is proposed. Each of the substitutions is shown to be in conformity with other existing assignments. However, assignment of Channel 221A at Oxford presents two problems:

⁴ According to information included in the petition provided by the Mayor of Millington, a 1967 special census conducted for tax purposes revealed a population of 19,071 for the City. The increase since 1960 appears to be due, in part, to annexations to the city since 1960.

First, new assignments of Channel 221A have been avoided unless a minimal impact on the potential need of assignments on educational Channels 218, 219, and 220, can be demonstrated. This aspect has not been considered by petitioner. Second, the assignment of Channel 221A at Senatobia would conflict directly with the assignment of the same channel at Calhoun City, as is proposed in RM-1472, discussed herein below.

12. *Calhoun City, Miss.* The petition filed by Calhoun Broadcasting Co. requests assignment of Channel 221A to Calhoun City, Miss., without requiring any other changes in the Table. Calhoun City, with a population of 1,714 represents the largest community of Calhoun County, population 15,941. Two other places of the county, Bruce (1,698) and Pittsboro (205 and county seat) are within 10 miles of Calhoun City, thus either could apply for the channel if assigned to Calhoun City. The only station operating in the county is a daytime AM station operated by petitioner; no FM assignments have been provided.

13. Ordinarily, the proposed assignment of a first local FM outlet for the area would be favorably considered. However, we are confronted with the same problems discussed in paragraph 11 above, namely the question of potential impact on educational Channels 218, 219, and 220, and the direct conflict with the Millington petitioner's proposed substitution of Channel 221A at Oxford.

14. The two petitions are mutually exclusive and exceptionally brief. Neither party submits sufficient information or data as to the relative needs of the assignments sought on which we can properly form an initial preference. We are therefore including both in the instant Notice in order that all interested parties may submit comments and additional supporting data. Our final decision on these cases will include careful consideration of the relative needs yet to be determined for Millington and Calhoun City, an analysis of the preclusion impact on the channel proposed at Millington (232A) and the six pertinent adjacent channels, and the impact on potential educational assignments that might result from assigning Channel 221A at either Oxford or Calhoun City. Any interested party may, of course, submit alternate proposals designed to avoid the problems discussed above. We invite comments on the following specific proposals:

PLAN I

City	Channel No.	
	Present	Proposed
Millington, Tenn.....		232A
Oxford, Miss.....	237A	221A
Senatobia, Miss.....	232A	237A

PLAN II

Calhoun City, Miss.....	221A
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15. *RM-1557, Cuba, Mo.* By a petition filed December 15, 1969, Mr. Maurice W.

Cover, doing business as Radio Cuba, requests assignment of Channel 265A to Cuba, Mo., without requiring any other changes in the Table. Cuba, population 1,672, while not the county seat, is the largest community of Crawford County, population 12,647. At present there are no aural outlets in Crawford County.

16. It appears from the technical data provided with the petition that the proposed assignment, if adopted, would result in a large area being developed where Channel 265A would be precluded from future assignment. For example, the channel could otherwise be assigned at Sullivan, Mo., providing a site were selected approximately 1 mile west of the city. Sullivan has a population of 4,098 persons and is located about 17 miles north of Cuba astride the boundary line between Crawford and Franklin Counties. Sullivan has an AM daytime-only station, but no FM assignment.

17. In view of the above, we are instituting a rule making proceeding in response to petitioner's proposal to assign Channel 265A to Cuba. However, since it appears that the channel could be assigned at the substantially larger city of Sullivan, we are also inviting comments to make the assignment at the latter place as an alternative to petitioner's proposal, as follows:

City	Channel No.	
	Present	Proposed
Cuba, Mo.....		265A
or		
Sullivan, Mo.....		265A

18. *RM-1558, Kentland, Ind.* On January 28, 1970, a petition was received from Mr. Almo Smith, requesting assignment of Channel 240A as a first FM outlet at Kentland, Ind. Kentland and its county, Newton, of which it serves as the county seat, have populations of 1,783 and 11,502, respectively.⁵ The petitioner notes that neither Newton County nor adjoining Benton County have any radio outlets for local expression. Fowler, population 2,491, is the county seat of Benton County, population 11,912.

19. It appears that the minimum separation requirements for Channel 240A would be met if assigned to either Kentland or Fowler. The cities are about 12 miles apart, thus making the assignment to Kentland would preclude its use at Fowler. We are of the opinion that either place may qualify for a first FM assignment. However, based on the larger populations for Fowler and its county over that of Kentland and its county, we feel it may be in the public interest to make the assignment to the former, particularly if any party should express such an interest.

20. Accordingly, we are inviting comments from all interested parties as to whether a first assignment should be made at Kentland or Fowler, Ind., as follows:

⁵ Petitioner states that the 1970 population projections for Kentland and its county are 2,000 and 13,000, respectively.

City	Channel No.	
	Present	Proposed
Kentland, Ind.....		240A
or		
Fowler, Ind.....		240A

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

22. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested persons may file comments on or before August 17, 1970, and reply comments on or before August 27, 1970. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

23. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: July 1, 1970.

Released: July 8, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,⁶
BEN F. WAPLE,
Secretary.

[SEAL]

[F.R. Doc. 70-8852; Filed, July 10, 1970; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 542]

[Docket No. 70-25]

CONTROL OF POLLUTION BY OIL

Notice of Proposed Rule Making

On March 25, 1970, Congress enacted the Water Quality Improvement Act of 1970 (Act), which amends the Federal Water Pollution Control Act to provide measures for the control of water pollution. This Act was signed into law by President Nixon on April 3, 1970. Section 11(p) (1) of that Act requires any vessel over 300 gross tons, including any barge of equivalent size, using any port or place in the United States or the navigable waters of the United States, to establish and maintain evidence of financial responsibility of \$100 per gross ton, or \$14 million, whichever is the lesser, to meet the liability to the United States which such vessel could be subjected for the discharge of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone. On June 2, 1970, the President delegated to the Federal Maritime Commission the responsibility, including issuance of the necessary implementing regulations, to

⁶ Concurring and dissenting statement of Commissioner Cox filed as part of original document.

carry out the provisions of section 11(p) (1) of the Act.¹

Therefore, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), section 11(p) (1) of the Water Quality Improvement Act of 1970 (84 Stat. 97) and the Delegation of Responsibility to Carry Out Provisions of the Federal Water Pollution Control Act (35 F.R. 8631), notice is hereby given that the Federal Maritime Commission proposes to promulgate certain rules and regulations to implement the provisions and to accomplish the purpose of section 11(p) (1) of the Water Quality Improvement Act of 1970. The proposed rules would also establish procedures and qualifications for the certification of vessels under section 11(p) (1) of the Act. As proposed, Title 46 CFR would be amended by adding a new Part 542, which would provide as follows:

PART 542—CONTROL OF POLLUTION BY OIL

PROOF OF FINANCIAL RESPONSIBILITY AND CERTIFICATION OF FINANCIAL RESPONSIBILITY TO MEET THE LIABILITY TO THE UNITED STATES FOR DISCHARGE OF OIL

Sec.	
542.1	Scope.
542.2	Definitions.
542.3	Proof of financial responsibility, when required.
542.4	Procedure for establishing financial responsibility.
542.5	Methods of establishing financial responsibility; forms and requirements.
542.6	Issuance of Certificate of Financial Responsibility.
542.7	Denial, revocation, suspension or modification of a Certificate.
542.8	Notice.

AUTHORITY: The provisions of this Part 542 issued under section 11(p) (1) of the Water Quality Improvement Act of 1970 (84 Stat. 97) and the Delegation of Responsibility to Carry Out Provisions of the Federal Water Pollution Control Act (35 F.R. 8631).

§ 542.1 Scope.

The regulations contained in this part set forth the procedures whereby the owner, charterer, or operator of every vessel over 300 gross tons, including any barge of equivalent size, using any port or place in the United States or the navigable waters of the United States for any purpose, shall establish and maintain evidence of financial responsibility of \$100 per gross ton, or \$14 million, whichever is the lesser, to meet the liability to the United States to which any such vessel could be subjected pursuant to section 11, Water Quality Improvement Act of 1970 for the discharge of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone. Included also are the qualifications re-

¹Section 11(p) (2) of the Act authorized the President, inter alia, to delegate the responsibility to carry out the provisions of section 11(p) (1) to "the appropriate agency head", and further provided for the issuance of any regulations necessary to implement that section.

quired by the Commission for issuance of Certificates and the basis for the denial, revocation, modification, or suspension of such Certificates.

§ 542.2 Definitions.

As used in this part, the following terms shall have the meanings indicated:

(a) "Act" means the Water Quality Improvement Act of 1970.

(b) "Commission" means Federal Maritime Commission.

(c) "Applicant" means any person who has applied for a Certificate.

(d) "Certificant" means any person who has been issued, and holds, a Certificate.

(e) "Certificate" means a Certificate of Financial Responsibility (Oil Pollution).

(f) "United States" means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(g) "Public vessel" means a vessel owned or bare-boat chartered and operated by the United States or any political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce.

(h) "Vessel" means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel.

(i) "Person" includes an individual, government, firm, corporation, association, and a partnership.

(j) "Owner" means any person owning a vessel. In a case where a certificate of registry has been issued, the owner shall be deemed to be the person or persons whose name or names appear upon the vessel's certificate of registry: *Provided, however,* That where a certificate of registry has been issued in the name of the President or Secretary of an incorporated company pursuant to 46 U.S.C. 15, such incorporated company will be deemed to be the "owner".

(k) "Charterer" means any person who, as lessee, charters by demise a vessel.

(l) "Operator" means any person, other than the owner or charterer, controlling and responsible for the operations of the vessel.

(m) "Oil" means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.

(n) "Discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(o) "Contiguous zone" means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

(p) "Navigable waters of the United States" include the coastal territorial waters of the United States, the inland waters of the United States including the United States portion of the Great Lakes, and the Panama Canal.

§ 542.3 Proof of financial responsibility, when required.

(a) No vessel over 300 gross tons, including any barge of equivalent size, shall use any port or place in the United States or the navigable waters of the United States on or after April 3, 1971, for any purpose unless a Certificate has been issued covering such vessel.

(b) Vessels subject to the provisions of this part shall be deemed to be of the gross tonnage denoted in their certificates of registry or other marine documents acceptable to the Commission: *Provided, however,* That if such a vessel has more than one gross tonnage, the higher one will apply.

§ 542.4 Procedure for establishing financial responsibility.

(a) Owners, charterers, or operators of vessels subject to § 542.3 must file an application on Form FMC-224¹ for a Certificate of Financial Responsibility (Oil Pollution). Copies of Form FMC-224¹ may be obtained from the Secretary, Federal Maritime Commission, Washington, D.C. 20573, or at the Commission's offices at New York, N.Y.; New Orleans, La.; and San Francisco, Calif.

(b) In order to obtain a Certificate by April 3, 1971, an application Form FMC-224¹ should be filed in duplicate with the Secretary, Federal Maritime Commission, by the vessel owner, charterer, or operator no later than December 31, 1970. The rules of this part shall not apply to the use by vessels of ports or places in the United States or the navigable waters of the United States prior to April 3, 1971. On or after April 3, 1971, an application for a Certificate should be filed in duplicate with the Secretary, Federal Maritime Commission by the vessel owner, charterer, or operator, at least 60 days in advance of such vessel using any port or place in the United States or the navigable waters of the United States. Late filing of any application will be permitted only for good cause. All applications, documents, and statements required to be filed with the Commission shall be in English, and any monetary terms shall be expressed in terms of U.S. currency. The Commission shall have the privilege of verifying any statements made or any evidence submitted under the rules of this part.

(c) The application shall be signed by a duly authorized officer or representative of the applicant and submitted with a copy of evidence of his authority. In the event of any material change in the facts as reflected in the application, the applicant (or certificant, as the case may be) shall notify the Commission in writing no later than five (5) days following such change. For the purpose of this part, a material change shall be one which results in either an increase or a decrease in the amount of financial responsibility necessary to qualify for a Certificate under the provisions of this part; provided

¹See footnote at end of document.

that where a vessel certificated pursuant to this part is sold or demise chartered, the certificate also shall follow the procedure set forth in § 542.6(e).

(d) Each applicant, insurer, surety, and guarantor shall, for the purposes of the rules of this part, furnish a written designation of a person in the United States as legal agent for service of process for the purposes of the rules of this part. Such designation must be irrevocable for a period of three (3) years after notice of cancellation to the Commission, unless a new agent is designated. Such designation must also be acknowledged, in writing, by the designee. In addition, the applicant must agree, in writing, that in any instance in which the designated agent cannot be served because of his death, disability, or unavailability, the Secretary, Federal Maritime Commission, will be deemed to be the irrevocable agent for service of process.

§ 542.5 Methods of establishing financial responsibility; forms and requirements.

(a) Evidence of adequate financial responsibility for purposes of this part may be established by any one of, or a combination of, the following methods:

(1) Filing with the Commission evidence of insurance issued by an acceptable insurer providing coverage of \$100 per gross ton, or \$14 million, whichever is the lesser, to meet the liability to the United States to which a vessel could be subjected for the removal of discharges of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone; *Provided, however*, That if an owner, charterer, or operator owns, charters, or operates more than one vessel subject to this part, financial responsibility need only be established to meet the maximum liability to which the contiguous zone; *Provided, however*, the largest of such vessels could be subjected. Such evidence may be submitted on Certificate of Insurance Form FMC-225¹ or, in the alternative, a signed copy of an acceptable insurance policy may be submitted. If a policy of insurance is submitted, it must include the following uniform endorsement:

Any other provisions of this policy notwithstanding (1) this policy insures any liability the assured may incur to the United States under section 11(f) of the Water Quality Improvement Act of 1970 (Public Law 91-224), provided, however, that the insurer's liability shall not exceed \$100 per gross ton of the tonnage of the vessel in respect of which a claim may be made, or \$14 million, whichever is the lesser; (2) the insurer agrees that any claims incurred under the aforementioned section 11(f) may be brought directly against the insurer; *Provided*, That where a claim is brought directly against the insurer, the insurer shall be entitled to invoke all rights and defenses which would have been available to the assured if an action had been brought against him, and which would have been available to the insurer if an action had been brought against him by the assured; and (3) termination or cancellation of this insurance, including expiration by its terms shall not be ef-

fect until notice in writing has been given to the assured or insurer and the Secretary of the Federal Maritime Commission at its office in Washington, D.C., by certified mail, and until after 30 days expire from the date notice is actually received by the Commission; provided, however, the insurer shall remain liable for claims covered by said insurance arising by virtue of an event which had occurred prior to the effective date of such termination or cancellation.

(2) Filing with the Commission a surety bond on Form FMC-226¹ issued by a bonding company authorized to do business in the United States and acceptable to the Commission. Such surety bond shall evidence coverage for liability to the United States in the amount specified in subparagraph (1) of this paragraph for which a vessel could be subjected for the removal of discharges of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone.

(3) Filing with the Commission for qualification as a self-insurer such evidence acceptable to the Commission as will demonstrate continued and stable operations over an extended period of time in the foreign or domestic trade of the United States. In addition, applicant must demonstrate financial responsibility by maintenance in the United States of working capital and net worth each in an amount calculated as in subparagraph (1) of this paragraph; *Provided, however*, That the Commission for good cause shown may waive the requirement as to the amount of working capital. With respect to the maintenance of working capital and/or net worth, the Commission will take into consideration all current contractual requirements to which the applicant is bound. This evidence of financial responsibility shall be supported by, and subject to, the following which are to be submitted on a continuing basis while the Certificate is in effect:

(i) A current quarterly balance sheet; *Provided, however*, The Commission for good cause shown may require only an annual balance sheet;

(ii) A current quarterly statement of income and surplus; *Provided, however*, The Commission for good cause shown may require only an annual statement of income and surplus;

(iii) An annual current balance sheet and an annual current statement of income and surplus to be certified by appropriate certified public accountants;

(iv) An annual current statement of the book value or current market value of assets together with a certification as to the existence and amount of any encumbrances thereon;

(v) An annual current credit rating report by Dun & Bradstreet or any similar concern found acceptable to the Commission;

(vi) An annual listing of all contractual requirements or other encumbrances (and to whom the applicant is bound in this regard) relating to the maintenance of working capital and net worth;

(vii) All financial statements required to be submitted under this sub-

paragraph (3) shall be due within 60 days after the close of each of the aforementioned pertinent accounting periods; *Provided*, That if such financial statements have been furnished to other U.S. Government agencies, a copy thereof may be submitted;

(viii) Such additional evidence of financial responsibility as the Commission may deem necessary in appropriate cases.

(4) Filing with the Commission a guaranty on Form FMC-227¹ by a guarantor acceptable to the Commission. Any such guaranty shall be in an amount calculated as in subparagraph (1) of this paragraph.

(b) The Commission's application Form FMC-224,¹ amendment to application Form FMC-224A,¹ Certificate of Insurance Form FMC-225,¹ surety bond Form FMC-226,¹ and guaranty Form FMC-227,¹ as set forth in and appended to this part, are hereby incorporated into the rules of this part.

(c) Any evidence of financial responsibility filed pursuant to the provisions of this section shall not prohibit the institution of claims for costs incurred by a vessel under the provisions of section 11 of the Act directly against the insurer or other person providing the evidence of financial responsibility required by this part. In the event, however, of any such claim brought directly against the insurer or other person providing the evidence of financial responsibility, such insurer or other person shall be entitled to invoke all rights and defenses which would have been available to the owner or operator if an action had been brought against him by the United States, and which would have been available to him if action had been brought against him by the owner or operator.

(d) Any financial evidence submitted to the Commission under the rules of this part shall set forth in full the correct name of the person to whom the Certificate is to be issued, and in case of a partnership, all partners shall be named.

(e) If any evidence filed with the application does not comply with the requirements of this part, or for any reason fails to provide adequate or satisfactory protection to the United States, the Commission will notify the applicant stating the deficiencies thereof.

(f) Financial data filed in connection with the rules of this part shall be confidential except in instances where such information becomes relevant in connection with hearings conducted pursuant to § 542.7.

§ 542.6 Issuance of Certificate of Financial Responsibility.

(a) Where evidence of financial responsibility has been established, a Certificate covering specified vessels shall be issued evidencing the Commission's finding of adequate financial responsibility to meet the liability to the United States to which such vessels could be subjected under section 11 of the Act for the cost of removal of a discharge of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or

See footnote at end of document.

upon the waters of the contiguous zone. The period covered by the Certificate shall be indeterminate unless a termination date has been specified thereon.

(b) Every person who has been issued a Certificate, including persons qualifying as self-insurers, must submit to the Commission an annual statement on Form FMC-224A¹ or facsimile thereof, of any changes that have taken place with respect to the information contained in the application or documents submitted in support thereof, even if the changes already have been reported pursuant to § 542.4(c) and paragraph (c) of this section; provided that self-insurers should report on Form FMC-224A¹ only those changes not required to be reported separately pursuant to § 542.5

(a) (3). After a change has been reported on Form FMC-224A¹, the same change should not be reported again on the next annual statement. The statements must cover every fiscal year of the certificant commencing with the first full fiscal year occurring after the fiscal year in which the Certificate was issued. The statements will be due within 60 days after the close of every such fiscal year, and negative statements are required to indicate no change. At the option of the certificant, a new application Form FMC-224¹ marked "updated", and completed in full, may be substituted and filed annually in place of amendment to application Form FMC-224A¹.

(c) In the event of a sale or demise charter arrangement involving a vessel certificated pursuant to this part, the certificant must within five (5) days thereafter, complete the reverse side of the certificate covering the involved vessel and return the certificate to the Secretary of the Commission. If the certificate covering a vessel subject to this paragraph has been lost or destroyed, the certificant must, within five (5) days, submit the following written information to the Secretary:

(1) The number of the Certificate and the name of the vessel,

(2) The date on which the vessel was sold or demise chartered,

(3) The name and mailing address of the purchaser or lessee,

See footnote at end of document.

(4) The location of the vessel at the time the purchaser or lessee acquired possession or control.

(d) In the event the control of a vessel certificated pursuant to this part is transferred to an operator, as defined in § 542.2(1), the certificant must within five (5) days notify the Commission of such transfer.

§ 542.7 Denial, revocation, suspension, or modification of a Certificate.

(a) Prior to the denial, revocation, suspension, or modification of a Certificate, the Commission shall advise the applicant of its intention to deny, revoke, suspend, or modify, and shall state the reasons therefor. If the applicant within 20 days after the receipt of such advice requests a hearing, such hearing shall be granted by the Commission and conducted in accordance with the Commission's rules of practice and procedure (Part 502 of this chapter); provided, however, that a Certificate shall become null and void upon cancellation or termination of evidence of insurance, surety bond or guaranty. The procedural provisions of the Shipping Act, 1916 (46 U.S.C. 801), shall apply to all proceedings conducted under this part.

(b) A Certificate may be denied, revoked, suspended, or modified for any of, but not limited to, the following reasons:

(1) Making any willfully false statement to the Commission in connection with an application for a Certificate, or its continuance in effect;

(2) Circumstances whereby the party does not qualify as financially responsible in accordance with the requirements of the Commission;

(3) Failure to comply with or respond to lawful inquiries, rules, regulations, or orders of the Commission pursuant to the rules of this part.

§ 542.8 Notice.

Notice of the issuance, denial, revocation, suspension, or modification of any Certificate shall be published in the FEDERAL REGISTER.

Interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 21 days of the publication of this

notice in the FEDERAL REGISTER, an original and 15 copies of their views or arguments pertaining to the proposed rules. All suggestions for changes in the text should be accompanied by drafts of the language thought necessary to accomplish the desired change and should be supported by statements and arguments relating the proposed change to the purposes of section 11(p) of the Water Quality Improvement Act of 1970 (84 Stat. 91).

The Federal Maritime Commission, Bureau of Hearing Counsel shall participate in this proceeding and shall file Reply to Comments on or before August 14, 1970, by serving an original and 15 copies on the Federal Maritime Commission and one copy on each party who filed written comments. Answers to Hearing Counsel's replies shall be submitted to the Federal Maritime Commission on or before August 24, 1970.

By order of the Federal Maritime Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-8915; Filed, July 10, 1970;
8:51 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 2]

[Docket No. R-389]

NATURAL GAS IN THE PERMIAN BASIN

Initial Rates for Future Sales; Correction

JUNE 25, 1970.

In the notices of investigation, proposed rulemaking and statement on new applications for certificates for sale of Permian Basin Area Natural Gas, issued June 17, 1970, and published in the FEDERAL REGISTER June 20, 1970, 35 F.R. 10152, paragraph 12, third line: Change "order" to "notice and statement."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-8870; Filed, July 10, 1970;
8:50 a.m.]

¹ Forms FMC-224, -224A, -225, -226, and -227 filed as part of the original document.

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order No. 114]

ASSISTANT COMMISSIONER (COMPLIANCE) AND ASSISTANT COMMISSIONER (TECHNICAL)

Delegation of Authority To Act as "Competent Authority"

There is hereby delegated to the Assistant Commissioner (Compliance) authority to perform the functions of the competent authority in the administration of the operating provisions of the tax treaties of the United States. There also is delegated to the Assistant Commissioner (Technical) authority to act as the United States "competent authority" in matters involving interpretation or application of tax treaties.

Date of issue: June 26, 1970.

Effective date: June 26, 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner.

[F.R. Doc. 70-8889; Filed, July 10, 1970;
8:51 a.m.]

[Order No. 97 (Rev. 8)]

ASSISTANT COMMISSIONER (COMPLIANCE) ET AL.

Closing Agreements Concerning Internal Revenue Tax Liability; Delegation of Authority

Pursuant to authority granted to the Commissioner of Internal Revenue by 26 CFR 301.7121-1(a); Treasury Department Order No. 150-32, dated November 18, 1953; and Treasury Department Order No. 150-36, dated August 17, 1954 (C.B. 1954-2, 733):

1. The Assistant Commissioner (Compliance) is hereby authorized to enter into and approve a written agreement with any person relating to the internal revenue tax liability for alcohol, tobacco, and firearms taxes, other than the manufacturers excise tax on firearms arising from application of sections 4181 and 4182 of the Internal Revenue Code, of such person (or of the person or estate for whom he acts) in respect of any prospective transactions or completed transactions affecting returns to be filed.

2. The Assistant Commissioner (Technical) is hereby authorized to enter into and approve a written agreement with any person relating to the internal revenue tax liability, other than for those taxes covered by delegation to the Assistant Commissioner (Compliance) in paragraph 1, of such person (or of the person or estate for whom he acts) in respect of any prospective transactions

or completed transactions affecting returns to be filed.

3. The Assistant Commissioner (Compliance) is hereby authorized to enter into and approve a written agreement with any person relating to the internal revenue tax liability of such person (or of the person or estate for whom he acts) for a taxable period or periods ended prior to the date of agreement and related specific items affecting other taxable periods. In this connection, he acts as the competent authority in the administration of the operating provisions of the tax conventions of the United States.

4. Regional Commissioners, Assistant Regional Commissioners (Appellate), Chiefs, Associate Chiefs, and Assistant Chiefs, Appellate Branch Offices, are hereby authorized in cases under their jurisdiction and in cases in which a closing agreement has been recommended for approval by the office of a District Director (but excluding cases docketed before the U.S. Tax Court) to enter into and approve a written agreement with any person relating to the internal revenue tax liability of such person (or of the person or estate for whom he acts) for a taxable period or periods ended prior to the date of agreement and related specific items affecting other taxable periods.

5. Regional Commissioners, Assistant Regional Commissioners (Appellate), Chiefs, Associate Chiefs, and Assistant Chiefs, Appellate Branch Offices, are hereby authorized in cases under their jurisdiction docketed in the U.S. Tax Court to enter into and approve a written agreement with any person relating to the internal revenue tax liability of such person (or of the person or estate for whom he acts) but only in respect to related specific items affecting other taxable periods.

6. The Director of International Operations is hereby authorized to enter into and approve a written agreement with any person relating to the internal revenue tax liability of such person (or of the person or estate for whom he acts) to provide for the mitigation of economic double taxation under section 3 of Revenue Procedure 64-54, C.B. 1964-2, 1008, and under Revenue Procedure 69-13, C.B. 1969-1, 402, and to enter into and approve a written agreement providing for such mitigation and relief under Revenue Procedure 65-17, C.B. 1965-1, 833.

7. District Directors of Internal Revenue are hereby authorized in cases under their jurisdiction to enter into and approve a written agreement with any person to provide that the internal revenue tax liability of such person (or of the person or estate for whom he acts) with respect to the taxability of earnings from a deposit or account of the type described

in Revenue Procedure 64-24, C.B. 1964-1 (Part 1), 693, opened prior to November 15, 1962, will be determined on the basis that earnings on such deposits or accounts are not includible in gross income until maturity or termination, whichever occurs earlier, and that the full amount of earnings on the deposit or account will constitute gross income in the year the plan matures, is assigned, or is terminated, whichever occurs first.

8. The authority delegated herein does not include the authority to set aside any closing agreement.

9. Authority delegated in this order may not be redelegated, except that the Assistant Commissioner (Technical) may redelegate the authority contained in paragraph 2 to the Deputy Assistant Commissioner (Technical) and to the Technical Advisors on the Staff of the Assistant Commissioner (Technical) for cases that do not involve precedent issues.

10. Delegation Order No. 97 (Rev. 7), issued May 1, 1970 [I.R.B. 1970-22, 281], is hereby superseded.

Date of issue: June 26, 1970.

Effective date: June 26, 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner.

[F.R. Doc. 70-8888; Filed, July 10, 1970;
8:51 a.m.]

[Order No. 32 (Rev. 1)]

DIRECTOR OF INTERNATIONAL OPERATIONS

Delegation of Authority

There is hereby delegated to the Director of International Operations authority, in administering and directing the functions of the Office of International Operations:

1. To perform those functions vested in the Secretary or his delegate by the Internal Revenue Code of 1954 which may be performed by a District Director of Internal Revenue under provisions of Treasury Regulations or Treasury Decisions; and

2. To perform any other functions of, and to exercise authorities vested in, District Directors of Internal Revenue by Commissioner Delegation Orders, or any other instrument currently in force and effect.

Delegation Order No. 32, issued May 1, 1956 (C.B. 1956-1, 1016), is hereby superseded.

Date of issue: June 26, 1970.

Effective date: June 26, 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner.

[F.R. Doc. 70-8887; Filed, July 10, 1970;
8:51 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. A 3478]

ARIZONA

Notice of Classification of Public Lands

JUNE 29, 1970.

1. The public lands described below are scattered tracts located in the Phoenix, Congress Junction, Bagdad, Topock, Tucson, Tombstone, and Safford areas. Local government authorities have identified these lands as being needed for future orderly community expansion, or development for recreation or other public purposes and have requested that these lands be preserved until such time as they can develop programs and plans to acquire and develop these lands. The criteria for classification of lands for multiple-use management in 43 CFR 2410.1-2(c) (3) authorizes the classification of lands which should be retained in Federal ownership pending their acquisition by local governments.

2. Therefore, pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands described below are hereby classified for multiple use management. Publication of this notice has the effect of segregating the described lands from all forms of appropriation and entry under the public land laws, including the mining and mineral leasing laws, except the Recreation and Public Purposes Act of June 14, 1926 (44 Stat. 741), as amended, and the Public Land Sale Act of September 19, 1964 (43 U.S.C. 1421-27) so that these lands will be available when local government entities are ready to begin development. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

3. The notice of proposed classification of these lands was published February 13, 1969 in 34 F.R. 2138 and was widely publicized. Objections were received to the proposed classification of the tracts near Bagdad and Tombstone. However, since our examination of the specific tracts does not indicate significant mineral values, and since local government representatives reaffirm their desire to have the tracts kept for local public use, the classification is being made as proposed. This classification is subject to valid, existing rights. It does not affect the rights of owners of unpatented mining claims located prior to withdrawal from mineral entry to conduct mining operations on said claims.

The public record on this classification is available for inspection at the Land Office, Room 3204, Federal Building, 230 North First Avenue, Phoenix, Ariz. The

public lands classified by this notice which are located in Graham and Cochise Counties are shown on maps on file and available for inspection in the Safford District Office, Safford, Ariz. Maps of the lands in the remaining counties are on file at the Phoenix District Office, 2929 West Clarendon, Phoenix, Ariz.

4. The public lands involved are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

MARICOPA COUNTY

- T. 4 N., R. 5 E.,
Sec. 24.
T. 4 N., R. 6 E.,
Sec. 30, lots 3 and 4.
T. 1 S., R. 3 E.,
Sec. 8, M.S. No. 4300 lying within lots 9 and 10.

YAVAPAI COUNTY

- T. 10 N., R. 6 W.,
Sec. 23, lots 2, 3, lots 9 to 19, inclusive,
lot 21, and S $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 14 N., R. 9 W.,
Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$.

MOHAVE COUNTY

- T. 16 N., R. 21 W.,
Sec. 10, E $\frac{1}{2}$ E $\frac{1}{2}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$.

PIMA COUNTY

- T. 14 S., R. 10 E.,
Sec. 12.
T. 13 S., R. 11 E.,
Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 14 S., R. 12 E.,
Sec. 25, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 35, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 15 S., R. 12 E.,
Sec. 1, lots 13 and 14;
Sec. 3, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 4, lots 9 and 10;
Sec. 5, lots 37 to 52, inclusive;
Sec. 8, lots 58 and 59;
Sec. 9, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 10, lots 71, 72, lots 89 to 92, inclusive,
and lots 101 to 104, inclusive;
Sec. 13, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 15 S., R. 13 E.,
Sec. 4, lots 5 to 16, inclusive and lots 25
to 40, inclusive.

COCHISE COUNTY

- T. 19 S., R. 22 E.,
Sec. 25, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 26, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 27, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

GRAHAM COUNTY

- T. 8 S., R. 26 E.,
Sec. 29, N $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 3711.85 acres.

5. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM 320, Washington, D.C. 20240.

RILEY E. FOREMAN,
Acting State Director.

[F.R. Doc. 70-8883; Filed, July 10, 1970;
8:51 a.m.]

[Serial No. 2818]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

JULY 6, 1970.

Notice of a Forest Service, U.S. Department of Agriculture application, Serial No. 2818, for withdrawal of lands from prospecting, location, entry, and purchase under the mining laws for a watershed and scenic resource protection area was published as F.R. Doc. 70-7741 on pages 10119-10120 of the issue for Friday, June 19, 1970. The applicant agency has amended its application by deleting the NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 31 T. 2 N., R. 4 W., SBM, California and adding the SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 31, T. 2 N., R. 4 W., SBM, California.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

The Department's regulations, 43 CFR 2351.4(c) (formerly 43 CFR 2311.13(c)), provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's need to provide for the maximum concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place which will be announced.

CHARLES L. SCHAEFER,
Acting Assistant
Land Office Manager.

[F.R. Doc. 70-8818; Filed, July 10, 1970;
8:45 a.m.]

[Montana 12993]

MONTANA

Notice of Classification of Public Lands for Multiple-Use Management

Correction

In F.R. Doc. 70-8068 appearing at page 10385 in the issue for Thursday, June 25,

1970, the entry in the first column on page 10386 reading "T. 25 N., R. 31 E.," should be corrected to read "T. 35 N., R. 31 E."

Office of the Secretary

ELMER S. HALL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of June 10, 1970.

Dated: June 10, 1970.

E. S. HALL.

[F.R. Doc. 70-8819; Filed, July 10, 1970; 8:46 a.m.]

HUGH C. VAN HORN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of June 27, 1970, in Valdosta, Ga.

Dated: June 27, 1970.

HUGH C. VAN HORN.

[F.R. Doc. 70-8820; Filed, July 10, 1970; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[Docket No. SH-287]

DOMESTIC BEET SUGAR PRODUCING AREA

Notice of Hearing on Proportionate Shares for 1971 Crop

Notice is hereby given that the Secretary of Agriculture, acting pursuant to the Sugar Act of 1948, as amended, will conduct a hearing to receive the views and recommendations of interested persons on the need for establishing proportionate shares (farm acreage allotments) for the 1971 crop of sugar beets in the Domestic Beet Sugar Area. Also, for use by the Secretary if he determines that proportionate shares are needed, views

and recommendations are desired on all phases of the proportionate share program, including the level of the national sugar beet acreage requirement. The hearing will be conducted at the Rodeway Inn, 29th and Chinden Boulevard, Boise, Idaho, on July 29, 1970, beginning at 10 a.m., m.d.t.

In accordance with the provisions of paragraph (1), subsection (b) of section 302 of the Sugar Act of 1948, as amended (7 U.S.C. 1132(b)), the Secretary must determine for each crop year whether the production of sugar from any crop of sugar beets will, in the absence of proportionate shares, be greater than the quantity needed to enable the area to meet its quota and provide a normal carryover inventory, as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Such determination may be made only after due notice and opportunity for an informal public hearing.

Proportionate shares were not in effect for either the 1967, 1968, or 1969 crops of sugar beets. Acreage restrictions on 1970 crop plantings were established in October 1969 but were removed in April 1970 because of deficiencies in the 1969 crop. Latest estimates indicate that approximately 3,400,000 short tons, raw value, of sugar was produced from 1969 crop plantings and that 1970 crop acreage planted or to be planted will total about 1,445,000 acres.

Views and recommendations on the need for establishing proportionate shares and the details of the program may be presented orally at the hearing, preferably supported in writing by an original and two copies of the oral statement. Views and recommendations may also be submitted in writing (original and two copies) at the hearing without an oral presentation or they may be mailed to the Director, Sugar Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, postmarked not later than August 20, 1970.

Oral and written views proposing that proportionate shares be established for the 1971 crop should include recommendations as to the level of the national sugar beet acreage requirement and as to the details of a program. These would include such items as methods (formulae) of establishing State allocations, area allotments, and farm bases, and the level of set-asides for new producers, appeals, and adjustments.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on July 6, 1970.

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

[F.R. Doc. 70-8844; Filed, July 10, 1970; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

**PROJECTED STANDARD SHIP DESIGN
Notice of Time Extension for Design Selection**

The President announced a new Merchant Marine Program on October 23, 1969. An important part of this program is to make it possible for industry to build more ships over the next 10 years, moving from the present subsidy level of about 10 ships a year to a new level of 30 ships a year.

In an effort to advance this ship construction program, the Maritime Administration contracted with Newport News Shipbuilding and Dry Dock Co. and Bath Industries to develop, in cooperation with the ship operating industries, a foreign trade forecast for the United States in the 1970's and to develop preliminary designs for standard ships that will meet this trade demand in the most economical manner.

On May 21, 1970, these Contractors presented their findings and designs to the Maritime Industry at the Biltmore Hotel in New York City.

In the notice of this meeting published in the FEDERAL REGISTER issue of May 5, 1970 (35 F.R. 7087), it was announced that information with respect to the standard designs, including full preliminary design data, would be available in early June upon request when accompanied by a \$1,000 deposit for each preliminary design. This deposit will be refunded upon the return of the data within 6 months. Such request should be made to the Secretary, Maritime Administration, Washington, D.C. 20235.

The announcement stated further that to assist in formulating a shipbuilding program for the 1970's, and on the basis of material presented at the Biltmore Hotel on May 21, 1970, interested ship operators were requested to provide the Maritime Administrator with responses to the following questions by June 30, 1970, it being understood that the responses are preliminary in nature and will not obligate the operator. (These responses should reflect the operators' needs during the 1970's.)

1. Which design or designs do you prefer?
2. How many ships of each design will you need? Give preferred delivery requirements. (Assume first ship in program will be delivered late 1973.)
3. The number and type of ships proposed to be replaced by the new construction.
4. On what trade routes or in what trade areas will these ships be used?
5. What special trade features, i.e., reefer, heavy lift gear, must be incorporated in the standard ship to meet your requirements?
6. What is your experience in the shipping business?
7. The method of financing envisaged. Do you anticipate use of Title XI mortgage insurance?

8. Will ship that you wish to have built require payment of a construction subsidy to the shipyard?

9. Will you require operating-differential subsidy? If so, approximately how much per year per ship?

The Maritime Administration will determine the standard designs that will be used in the 1971 Shipbuilding Program based upon the industry response to the preceding questions.

The response date of June 30, 1970, for submitting the above data has not provided sufficient time to develop complete responses, so a time extension has been requested.

To provide this additional time the response date of June 30, 1970, set out in the May 5, 1970, FEDERAL REGISTER announcement is hereby extended to August 31, 1970.

Preliminary design data is still available in accordance with the above stated terms. In addition, five designs prepared by the Maritime Administration are also available.

Persons who wish to view these preliminary designs without making a deposit may contact the following Maritime Administration Regional Offices:

Atlantic Region, Atlantic Coast Director, Thomas A. King, 45 Broadway, New York, N.Y. 10006, Telephone: 212-264-1300.

Gulf Region, Gulf Coast Director, E. M. Hockman, Post Office Box 52948, 701 Loyola Avenue, New Orleans, La. 70150, Telephone: 504-527-6556.

Pacific Region, Pacific Coast Director, Thomas J. Patterson, 450 Golden Gate Avenue, Box 36073, San Francisco, Calif. 94102, Telephone: 415-556-3816.

Dated: July 8, 1970.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 70-8960; Filed July 10, 1970;
8:52 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

GRANT FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES

Notice of Acceptance of Application for Filing

Notice is hereby given that the following described application for Federal financial assistance in the construction of noncommercial educational broadcasting facilities is accepted for filing under the provisions of title III, part IV of the Communications Act of 1934, as amended (47 U.S.C. 390-399) and in accordance with 45 CFR 60.8.

Any interested person may, pursuant to 45 CFR 60.10, within 30 calendar days from the date of this publication, file comments regarding this application with the Director, Educational Broad-

casting Facilities Program, U.S. Office of Education, Washington, D.C. 20202.

EDUCATIONAL RADIO

The Regents of the University of Colorado, Regent Hall 301, University of Colorado, Boulder, Colo. 80302, File No. 46-R, for the establishment of a new noncommercial educational radio station on channel 220, Boulder, Colo., accepted as of May 21, 1970. Estimated project cost: \$39,070. Grant requested: \$29,018. Application signed by: Mr. Frederick P. Thieme, President.

Approved: July 7, 1970.

T. H. BELL,
Acting U.S. Commissioner
of Education.

[F.R. Doc. 70-8847; Filed, July 10, 1970;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-360]

BATTELLE MEMORIAL INSTITUTE

Notice of Receipt of Application for Facility License

The Battelle Memorial Institute, Pacific Northwest Laboratories Division (Battelle-Northwest), at Richland, Wash., has filed an application notarized April 27, 1970, for a license pursuant to section 104.c of the Atomic Energy Act of 1954, as amended, to acquire, possess, and operate the Plutonium Recycle Critical Facility (PRCF) located at its Pacific Northwest Laboratory near Richland, Wash. The PRCF is a low-power utilization facility designed for determining nuclear parameters of heterogeneous reactor systems, and operates at power levels up to 10 thermal kilowatts. It has been operated since 1963, first by General Electric Co. and currently by Battelle-Northwest under contract with the Atomic Energy Commission.

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 5th day of June 1970.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[F.R. Doc. 70-8816; Filed, July 10, 1970;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 21866-6]

DOMESTIC PASSENGER-FARE INVESTIGATION LOAD FACTORS AND SEATING CONFIGURATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of

1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on August 4, 1970, at 10 a.m., e.d.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., July 7, 1970.

[SEAL]

JAMES S. KEITH,
Hearing Examiner.

[F.R. Doc. 70-8874; Filed, July 10, 1970;
8:50 a.m.]

[Docket No. 22039]

SPANTAX, S.A.

Notice of Proposed Approval

Application of Spantax, S.A., for waiver of jurisdiction or approval under section 408 of the Federal Aviation Act of 1958, as amended, Docket 22039.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., July 7, 1970.

[SEAL]

A. M. ANDREWS,
Director,

Bureau of Operating Rights.

ORDER OF APPROVAL

Issued under delegated authority.

Application of Spantax, S.A., for waiver of jurisdiction or approval under section 408 of the Federal Aviation Act of 1958, as amended, Docket No. 22039.

By application filed March 24, 1970, Spantax, S.A. (Spantax), requests the Board to either waive jurisdiction over or approve under section 408(b) of the Federal Aviation Act of 1958, as amended (the Act), the purchase by Spantax of one Convair 990A (CV-990A) aircraft from Modern Air Transport, Inc. (Modern).

Spantax is a corporation organized under the laws of Spain and is the holder of a foreign air carrier permit authorizing it to engage in certain charter foreign air transportation of persons and property.

Modern is a U.S. supplemental air carrier authorized to furnish charter air transportation of persons and property.

The application recites that on January 5, 1970, a CV-990A aircraft belonging to Spantax was totally lost in a ferry flight takeoff accident. Accordingly, on March 12, 1970, Spantax and Modern entered into a conditional sales agreement providing for the sale of one CV-990A aircraft from Modern to Spantax. The aircraft in question was delivered to Spantax on March 15, 1970. Spantax asserts that in its haste to replace the lost aircraft and through oversight, it failed

to file its application prior to consummation of the purchase.¹

In further support of the transaction, the application asserts, inter alia, that the purchase agreement is consistent with the public interest and was entered into after arm's length bargaining; and that Modern has provided information that its rate of aircraft utilization is quite low, and the sale of the aircraft will not impair Modern's ability to carry out its commitments pursuant to its certificate authority.

No comments or requests for a hearing have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

Upon consideration of the application it is concluded that the sale is subject to section 408 of the Act. However, it is further concluded that the transaction does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and does not restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing and it is found that the public interest does not require a hearing. The Board has previously approved such transactions in the past and the application under review presents no new substantive issues.² There is no showing that Modern's ability to perform its certificate obligations will be impaired, or that the aircraft is needed in its operations. We therefore find that the transactions will not be inconsistent with the public interest or that the conditions of section 408 will be unfulfilled.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the foregoing aircraft purchase transaction should be approved under section 408(b) of the Act without a hearing, and that the application, to the extent it requests a waiver of jurisdiction, should be denied.

Accordingly, it is ordered, That:

1. The purchase from Modern by Spantax of one CV-990A aircraft be and it hereby is approved;

2. This action shall not be deemed a determination for rate-making purposes of the reasonableness of the transaction; and

3. Except to the extent granted herein, the application in Docket 22039 be and it hereby is denied.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-8875; Filed, July 10, 1970;
8:50 a.m.]

¹ It appears that the aircraft purchase transaction has been in effect for some time. Nevertheless, it has been decided not to enforce the doctrine expressed in Sherman Control and Interlocking Relationships, 15 CAB 876 (1952) and to consider the application on its merits.

² Caledonian Airways (Prestwick) Ltd., Order 69-11-18, Nov. 5, 1969, Docket 21496.

CIVIL SERVICE COMMISSION CITIZENS' ADVISORY COMMITTEE ON ENVIRONMENTAL QUALITY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Citizens' Advisory Committee on Environmental Quality to fill by noncareer executive assignment in the excepted service the position of Executive Director.

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

[F.R. Doc. 70-8837; Filed, July 10, 1970;
8:47 a.m.]

COMMISSION ON CIVIL RIGHTS

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Commission on Civil Rights to fill by noncareer executive assignment in the excepted service the position of Assistant to the Staff Director for Congressional Affairs, Office of the Staff Director.

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

[F.R. Doc. 70-8854; Filed, July 10, 1970;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Agriculture to fill by noncareer executive assignment in the excepted service the position of Associate Administrator, Foreign Agricultural Service.

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

[F.R. Doc. 70-8862; Filed, July 10, 1970;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil

Service Commission authorizes the Department of Commerce to fill by non-career executive assignment in the excepted service the position of Assistant Director for Business Opportunities in the Office of Minority Business Enterprise.

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

[F.R. Doc. 70-8855; Filed, July 10, 1970;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Chief, Business and Professional Division in the Office of Minority Business Enterprise.

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

[F.R. Doc. 70-8865; Filed, July 10, 1970;
8:49 a.m.]

DEPARTMENT OF DEFENSE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Director for Manpower Utilization, ODASD (Manpower Research & Utilization), OASD (Manpower & Reserve Affairs), Office of the Secretary of Defense.

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

[F.R. Doc. 70-8835; Filed, July 10, 1970;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule II (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the

Secretary, Office of the Secretary, Immediate Office.

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

[F.R. Doc. 70-8856; Filed, July 10, 1970; 8:49 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Title Changes in Noncareer Executive Assignment

By notice of August 13, 1969, F.R. Doc. 69-9546, the Civil Service Commission authorized the Department of Housing and Urban Development to fill by non-career executive assignment the position of Director, Community Resources Development Administration. This is notice that the title of this position is now being changed to Director, Office of Resources Development, Office of the Assistant Secretary for Metropolitan Planning and Development.

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

[F.R. Doc. 70-8866; Filed, July 10, 1970; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Interior to fill by non-career executive assignment in the excepted service the position of Director, Office of Hearings and Appeals, Office of the Secretary.

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

[F.R. Doc. 70-8857; Filed, July 10, 1970; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Interior Job Corps Conservation Center Coordinator, Office of the Secretary.

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

[F.R. Doc. 70-8863; Filed, July 10, 1970; 8:49 a.m.]

DEPARTMENT OF LABOR

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Labor to fill by noncareer executive assignment in the excepted service the position of Deputy Director, Bureau of Labor Standards, Office of the Director, Wage and Labor Administration.

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

[F.R. Doc. 70-8858; Filed, July 10, 1970; 8:49 a.m.]

DEPARTMENT OF STATE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of State to fill by noncareer executive assignment in the excepted service the position of Member of the Policy Planning Staff, Office of the Assistant Secretary for Policy Planning.

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

[F.R. Doc. 70-8841; Filed, July 10, 1970; 8:47 a.m.]

DEPARTMENT OF STATE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of State to fill by non-career executive assignment in the excepted service the position of Deputy Director for Planning.

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

[F.R. Doc. 70-8864; Filed, July 10, 1970; 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by non-career executive assignment in the

excepted service the position of Director, Office of Facilitation.

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

[F.R. Doc. 70-8836; Filed, July 10, 1970; 8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Federal Home Loan Bank Board to fill by non-career executive assignment in the excepted service the position of Associate Director (Finance and Capital Markets), Office of System Finance and Bank Operations.

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

[F.R. Doc. 70-8859; Filed, July 10, 1970; 8:49 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Economic Opportunity to fill by non-career executive assignment in the excepted service the position of Associate Director for Public Affairs.

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

[F.R. Doc. 70-8838; Filed, July 10, 1970; 8:47 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Economic Opportunity to fill by non-career executive assignment in the excepted service the position of Deputy Associate Director for Health Affairs, Office of Health Affairs.

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

[F.R. Doc. 70-8839; Filed, July 10, 1970; 8:47 a.m.]

POST OFFICE DEPARTMENT

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Post Office Department to fill by noncareer executive assignment in the excepted service the position of Director of Policy Statements and Research, Office of the Postmaster General.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-8840; Filed, July 10, 1970;
8:47 a.m.]

SELECTIVE SERVICE SYSTEM

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Selective Service System to fill by noncareer executive assignment in the excepted service the position of Legislation and Liaison Officer.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-8860; Filed, July 10, 1970;
8:49 a.m.]

SELECTIVE SERVICE SYSTEM

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Selective Service System to fill by noncareer executive assignment in the excepted service the position of Public Information Officer, Office of Public Information.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-8861; Filed, July 10, 1970;
8:49 a.m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

AMERICAN BANK & TRUST CO.

Notice of Application for Exemption

Pursuant to authority granted the Corporation under sections 12(h) and 12(i) of the Securities Exchange Act of 1934, as amended, notice is hereby given to all interested parties that American Bank & Trust Co., Monroe, N.C., has applied to the Federal Deposit Insurance Corporation for exemption from the registration

requirement of section 12(g). Unless otherwise specified in the Corporation's order granting such exemption, an exemption from the requirement of section 12(g) will result in sections 13, 14(a), 14(c), 14(d), 14(f), and 16 of the Act being inapplicable with respect to the bank's outstanding securities.

Interested persons are given the opportunity to present their written views or comments on this application within 20 days following the date of publication of this notice in the FEDERAL REGISTER. Communications should be addressed to the Secretary, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, D.C. 20429.

Dated this 7th day of July 1970.

FEDERAL DEPOSIT INSURANCE CORPORATION,

[SEAL] E. F. DOWNEY,
Secretary.

[F.R. Doc. 70-8868; Filed, July 10, 1970;
8:50 a.m.]

FEDERAL MARITIME COMMISSION

SURPLUS PROPERTY AUTHORITY ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Francis L. Tetreault, Graham and James, 310 Sansome Street, San Francisco, Calif. 94104.

Agreement No. T-2427 between the Surplus Property Authority, City of Rich-

mond, Calif. (Authority) and Pasha Truckaway, Inc. (Pasha), is a lease agreement which Pasha has assigned to Canal Industrial Park, Inc. Pasha has leased a portion of the Maritime Richmond Reserve Shipyard to be used for the assembly and storage of cargo, particularly automobiles. Rental will be a fixed sum, calculated on a basis set forth in the agreement. In addition, Pasha will pay Authority one-third of the amount it collects for wharfage and dockage at the leased facility, or one-third of the amount it would have collected if it had applied rates which were the average of those provided for such wharfage and dockage in the tariffs of the Port of Oakland and of the Port of San Francisco, whichever yields the greater revenue to Authority. The agreement also provides for the assignment to Pasha of certain existing leases in consideration of payments set forth in the agreement.

Dated: July 8, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-8920; Filed, July 10, 1970;
8:52 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report 499]

COMMON CARRIER SERVICES INFORMATION¹Domestic Public Radio Services Applications Accepted for Filing²

JULY 6, 1970.

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 list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

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.

FEDERAL COMMUNICATIONS

COMMISSION.

BEN F. WAPLE,

Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign, and nature of application

- 8799-C2-P-(2)70—Oregon Mobile Telephone Co. (New), C.P. for a new air-ground station to be located at 8 miles south of Salem, Ore., to operate on frequencies 454.850 and 454.925 MHz base and 454.675 MHz signaling.
- 8800-C2-P-(10)70—Indiana Bell Telephone Co. (KSA629), C.P. to change the antenna system operating on frequencies 152.51, 152.54, 152.63, 152.69, 152.75, 152.81, 454.375, 454.400, 454.425, and 454.475 MHz. Station location: 240 North Meridian Street, Indianapolis, Ind.
- 8801-C2-P-(3)70—Lafayette Radiofone (KKO852), C.P. to replace the base transmitters operating on 152.03, 152.09, and 152.21 MHz. Station location: North side of Southern Pacific Railroad tracks, approximately 1 mile west of city limits, Lafayette, La.
- 8804-C2-P-70—RAM Broadcasting of Oregon, Inc. (New), C.P. for a new air-ground station to be located at the First National Bank Building, Dorain and Main Streets, Pendleton, Ore., to operate on frequency 454.775 MHz base and 454.675 MHz signaling.
- 8805-C2-P-70—RAM Broadcasting of Texas (New), C.P. for a new air-ground station to be located at the Dorcher Building, Third and Locust, Sweetwater, Tex., to operate on frequency 454.900 MHz base and 454.675 MHz signaling.
- 8806-C2-P-70—RAM Broadcasting of Oregon, Inc. (New), C.P. for a new air-ground station to be located at 919 Klamath Avenue, Klamath Falls, Ore., to operate on frequency 454.975 MHz base and 454.675 MHz signaling.
- 8807-C2-P-70—Tri-City Radio Dispatch Service (KQD810), C.P. to add a second base channel to operate on frequency 152.12 MHz. Station location: 3274 Carrollton Road, Saginaw, Mich.
- 8808-C2-P-70—General Communications Service, Inc. (KIG296), C.P. to replace the base transmitter operating on frequency 454.15 MHz. Station location: 34 Peachtree Street NW, Atlanta, Ga.
- 8809-C2-P-(2)70—Waco Communication, Inc. (KLB498), C.P. to add repeater facilities to operate on frequency 459.325 MHz at location No. 1: Approximately 2 miles southwest of Belton, Tex., and add control facilities to operate on frequency 454.325 MHz at a new site described as location No. 2: 401 West Loop 340, Waco, Tex.
- 8912-C2-AL-70—Bair Communications—Consent to assignment of license from Bair Communications, Assignor, to: Bair's Communications, Inc., Assignee. Station: KIY520, Belle Glade, Fla.
- 8913-C2-MP-70—Pocket Phone Broadcast Service, Inc. (KEA777), Modification of C.P. to relocate facilities at location No. 2 to: 220 First Street, Niagara Falls, N.Y., on frequency 35.58 MHz (1-way).
- Major Amendment*
- 5530-C2-P-69—Rochester Telephone Corp. (New), Application amended to change antenna location by 180 feet, change antenna and effective radiated power. All other particulars remain the same as reported on public notice dated Mar. 24, 1969, Report No. 432.

RURAL RADIO SERVICE

8810-C1-P/ML-70—General Telephone Co. of the Southwest (KLH27), C.P. and modification of license to change frequency to 157.92 MHz communicating with station KLB758, San Angelo, Tex., operating with (21 units), in any temporary fixed location within the territory of the grantee. All other terms of the existing license to remain unchanged.

8915-C1-P/L-70—Nevada Telephone & Telegraph Co. (New), C.P. and license for a new rural subscriber station to operate on frequency 157.89 MHz with (10 units) to operate in any temporary fixed location within the territory of applicant.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

- 8802-C1-P/L-70—Southern Bell Telephone & Telegraph Co. (New), C.P. and license for a new station to be located at 3.4 miles northwest of Decatur, Ga. Frequency: 11,485 MHz toward Atlanta, Ga.
- American Telephone & Telegraph Co. Forty-one C.P. construction permits for authority to install Type TD-2 transmitters at the radio relay stations between Scipio, Utah, and Kelso, Calif.; Denver and Cedarwood, Colo.; Fairacres, N. Mex., and Phoenix, Ariz.; Buckhorn Mountain, Colo., and Salt Lake City Junction, Utah.
- 8811-C1-P-70—American Telephone & Telegraph Co. (KPM69), Add frequency 3730 MHz toward Meadow, Utah. Station location: 5 miles southwest of Scipio, Utah.
- 8812-C1-P-70—American Telephone & Telegraph Co. (KPM70), Add frequency 3770 MHz toward Cricket Mountain, Utah. Station location: 1.5 miles northeast of Meadow, Utah.
- 8818-C1-P-70—American Telephone & Telegraph Co. (KPM71), Add frequency 3730 MHz toward Milford, Utah. Station location: Cricket Mountain, Utah, 9 miles north-northeast of Black Rock.
- 8814-C1-P-70—American Telephone & Telegraph Co. (KPM72), Add frequency 3770 MHz toward Lund, Utah. Station location: 6 miles southeast of Milford, Utah.
- 8815-C1-P-70—American Telephone & Telegraph Co. (KPM73), Add frequency 3730 MHz toward Enterprise, Utah. Station location: 7.5 miles north of Lund, Utah.
- 8816-C1-P-70—American Telephone & Telegraph Co. (KPM74), Add frequency 3770 MHz toward Santa Clara, Utah. Station location: 5 miles southeast of Enterprise, Utah.
- 8817-C1-P-70—American Telephone & Telegraph Co. (KPM75), Add frequency 3730 MHz toward Mormon Mesa, Nev. Station location: 9.5 miles west-southwest of Santa Clara, Utah.
- 8818-C1-P-70—American Telephone & Telegraph Co. (KPM76), Add frequency 3770 MHz toward Arrow Canyon, Nev. Station location: Mormon Mesa, 12.5 miles northwest of Mesquite, Nev.
- 8819-C1-P-70—American Telephone & Telegraph Co. (KPM77), Add frequency 3730 MHz toward Arden, Nev. Station location: Arrow Canyon, 12.4 miles southwest of Moapa, Nev.
- 8820-C1-P-70—American Telephone & Telegraph Co. (KPM78), Add frequency 3770 MHz toward Beer Bottle, Nev. Station location: Arden, 9.3 miles east of Sloan, Nev.
- 8821-C1-P-70—American Telephone & Telegraph Co. (KPM79), Add frequency 3730 MHz toward Cima, Calif. Station location: Beer Bottle, 10.4 miles southeast of Jean, Nev.
- 8822-C1-P-70—American Telephone & Telegraph Co. (KNB54), Add frequency 3770 MHz toward Kelso, Calif. Station location: 4.5 miles east of Cima, Calif.
- 8823-C1-P-70—American Telephone & Telegraph Co. (KAB24), Add frequency 3930 MHz toward Critchell, Colo. Station location: 991 14th Street, Denver, Colo.
- 8824-C1-P-70—American Telephone & Telegraph Co. (KAY83), Add frequency 3990 MHz toward West Creek, Colo. Station location: Critchell, 4.1 miles north-northwest of South Platte, Colo.
- 8825-C1-P-70—American Telephone & Telegraph Co. (KAY69), Add frequency 4010 MHz toward Calhan, Colo. Station location: 6.9 miles east-northeast of West Creek, Colo.
- 8826-C1-P-70—American Telephone & Telegraph Co. (KAY54), Add frequency 3970 MHz toward Truckton, Colo. Station location: 2.5 miles south-southwest of Calhan, Colo.
- 8827-C1-P-70—American Telephone & Telegraph Co. (KAY53), Add frequency 4010 MHz toward Boone, Colo. Station location: 3.3 miles southwest of Truckton, Colo.

- 8828-C1-P-70—American Telephone & Telegraph Co. (KAU62), Add frequency 3970 MHz toward Cedarwood, Colo. Station location: 10.7 miles northeast of Boone, Colo.
- 8829-C1-P-70—American Telephone & Telegraph Co. (KLT95), Add frequency 3870 MHz toward Deming, N. Mex. Station location: 13 miles west-northwest of Faracres, N. Mex.
- 8830-C1-P-70—American Telephone & Telegraph Co. (KLT96), Add frequency 3910 MHz toward Gage, N. Mex. Station location: 12.1 miles southeast of Deming, N. Mex.
- 8831-C1-P-70—American Telephone & Telegraph Co. (KLT97), Add frequency 3870 MHz toward White Signal, N. Mex. Station location: 6 miles north-northwest of Gage, N. Mex.
- 8832-C1-P-70—American Telephone & Telegraph Co. (KLT98), Add frequency 3910 MHz toward Duncan, Ariz. Station location: 8.3 miles southwest of White Signal, N. Mex.
- 8833-C1-P-70—American Telephone & Telegraph Co. (KPT94), Add frequency 3870 MHz toward Pima, Ariz. Station location: 12.1 miles west-northwest of Duncan, Ariz.
- 8834-C1-P-70—American Telephone & Telegraph Co. (KPT95), Add frequency 3910 MHz toward Klondyke, Ariz. Station location: 2.3 miles west-southwest of Pima, Ariz.
- 8835-C1-P-70—American Telephone & Telegraph Co. (KPT96), Add frequency 3870 MHz toward Winkelman, Ariz. Station location: 8.1 miles east-southeast of Klondyke, Ariz.
- 8836-C1-P-70—American Telephone & Telegraph Co. (KPT97), Add frequency 3910 MHz toward Kelvin, Ariz. Station location: 7.7 miles east of Winkelman, Ariz.
- 8837-C1-P-70—American Telephone & Telegraph Co. (KPT98), Add frequency 3870 MHz toward Apache Junction, Ariz. Station location: 5.6 miles west-southwest of Kelvin, Ariz.
- 8838-C1-P-70—American Telephone & Telegraph Co. (KPV21), Add frequency 4190 MHz toward Phoenix, Ariz. Station location: 7.5 miles northwest of Apache, Ariz.
- 8839-C1-P-70—American Telephone & Telegraph Co. (KAC61), Add frequency 4150 MHz toward Crow Creek Hill, Wyo. Station location: Buckhorn Mountain, Colo. 8 miles west of Bellvue.
- 8840-C1-P-70—American Telephone & Telegraph Co. (KOB69), Add frequency 4110 MHz toward Rock River, Wyo. Station location: Crow Creek Hill, 8.5 miles southeast of Laramie, Wyo.
- 8841-C1-P-70—American Telephone & Telegraph Co. (KOB68), Add frequency 4150 MHz toward Hanna, Wyo. Station location: 4 miles west of Rock River, Wyo.
- 8842-C1-P-70—American Telephone & Telegraph Co. (KOB67), Add frequency 4110 MHz toward north Rawlins, Wyo. Station location: 2 miles northeast of Hanna, Wyo.
- 8843-C1-P-70—American Telephone & Telegraph Co. (KOB66), Add frequency 4150 MHz toward Creston, Wyo. Station location: North Rawlins, 5.5 miles northwest of Rawlins, Wyo.
- 8844-C1-P-70—American Telephone & Telegraph Co. (KOB65), Add frequency 4110 MHz toward Bitter Creek, Wyo. Station location: 5 miles northwest of Creston, Wyo.
- 8845-C1-P-70—American Telephone & Telegraph Co. (KOB64), Add frequency 4150 MHz toward Rock Springs, Wyo. Station location: 11 miles north of Bitter Creek, Wyo.
- 8846-C1-P-70—American Telephone & Telegraph Co. (KOB63), Add frequency 4110 MHz toward Green River, Wyo. Station location: Rock Springs, 1.5 miles northeast of Lionkol, Wyo.
- 8847-C1-P-70—American Telephone & Telegraph Co. (KOB62), Add frequency 4150 MHz toward Church Butte, Wyo. Station location: 3.5 miles southwest of Green River, Wyo.
- 8848-C1-P-70—American Telephone & Telegraph Co. (KOB61), Add frequency 4110 MHz toward Evanston, Wyo. Station location: Church Butte, 10 miles south of Verne, Wyo.
- 8849-C1-P-70—American Telephone & Telegraph Co. (KOB29), Add frequency 4150 MHz toward Wasatch, Utah. Station location: Evanston, 5.5 miles southwest of Leroy, Wyo.
- 8850-C1-P-70—American Telephone & Telegraph Co. (KOB28), Add frequency 4110 MHz toward Pratts Pass, Utah. Station location: 9.5 miles northeast of Casle Rock, Utah.
- 8851-C1-P-70—American Telephone & Telegraph Co. (KOB27), Add frequency 4150 MHz toward Salt Lake City Junction, Utah. Station location: Pratts Pass, 6.5 miles northwest of Gorgorza, Utah.
- 8857-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 1: C.P. for a new fixed station at St. Joseph Bank Building, 202 South Michigan Street, South Bend, Ind., at latitude 41°40'29" N., longitude 86°14'56" W. Frequencies 6256.5 MHz and 6375.2 MHz on azimuth 110°17'.

- 8858-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 2: C.P. for a new fixed station 0.5 mile west of Millersburg, Ind., at latitude 41°31'29" N., longitude 85°42'43" W. Frequencies 6084.2 MHz and 6152.8 MHz on azimuth 290°38', and frequencies 5945.2 MHz and 6063.8 MHz on azimuth 143°43'.
- 8859-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 3: C.P. for a new fixed station 1.8 miles north-west of Collins, Ind., at latitude 41°12'58" N., longitude 85°24'49" W. Frequencies 6286.2 MHz and 6404.8 MHz on azimuth 323°54', and frequencies 11,385 MHz and 11,628 MHz on azimuth 123°20', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 173°11'.
- 8860-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 4: C.P. for a new fixed station at Fort Wayne Bank Building, corner of Berry and Calhoun Streets, Fort Wayne, Ind., at latitude 41°04'47" N., longitude 85°08'25" W. Frequencies 10,895 MHz and 11,135 MHz on azimuth 303°31'.
- 8861-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 5: C.P. for a new fixed station 1.35 miles west-southwest of Rockford, Ind., at latitude 40°45'23" N., longitude 85°20'29" W. Frequencies 6004.5 MHz and 6123.1 MHz on azimuth 353°14', and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 227°23'.
- 8862-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 6: C.P. for a new fixed station at 2200-2300 Home Avenue Building, Building No. 3, Marion, Ind., at latitude 40°32'25" N., longitude 85°38'55" W. Frequencies 6197.2 MHz and 6315.9 MHz on azimuth 47°11', and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 149°55', and frequencies 6226.9 MHz and 6345.5 MHz on azimuth 261°51'.
- 8863-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 7: C.P. for a new fixed station at Armstrong Lanon Building, East Sycamore and Main Street, Kokomo, Ind., at latitude 40°29'11" N., longitude 86°07'54" W. Frequencies 5974.8 MHz and 6093.5 MHz on azimuth 81°32'.
- 8864-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 8: C.P. for a new fixed station at Wyler Building, corner of Main and Walnut Streets, Muncie, Ind., at latitude 40°11'37" N., longitude 85°23'13" W. Frequencies 6034.2 MHz and 6152.8 MHz on azimuth 330°05', and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 184°04', and frequencies 11,325 MHz and 11,565 MHz on azimuth 248°57'.
- 8865-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 9: C.P. for a new fixed station at Hotel Madison, 912 Meridian Street, Anderson, Ind., at latitude 40°06'25" N., longitude 85°40'44" W. Frequencies 10,835 MHz and 11,035 MHz on azimuth 68°46'.
- 8866-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 10: C.P. for a new fixed station 0.5 mile east of Spiceland, Ind., at latitude 39°50'30" N., longitude 85°25'10" W. Frequencies 6226.9 MHz and 6345.5 MHz on azimuth 04°03', and frequencies 6226.9 MHz and 6345.5 MHz on azimuth 100°51', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 245°11'.
- 8867-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 11: C.P. for a new fixed station at 2.6 miles east-northeast of Pleasant View, Ind., at latitude 39°40'16" N., longitude 85°53'38" W. Frequencies 6084.2 MHz and 6152.8 MHz on azimuth 64°53', and frequencies 11,585 MHz and 11,345 MHz on azimuth 296°13'.
- 8868-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 12: C.P. for a new fixed station at Indiana National Bank Building, 1 Indiana Square, Indianapolis, Ind., at latitude 39°46'13" N., longitude 86°09'20" W. Frequencies 11,175 MHz and 10,935 MHz on azimuth 116°03'.
- 8869-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 13: C.P. for a new fixed station 2 miles east-southeast of West Florence, Ohio, at latitude 39°44'11" N., longitude 84°43'21" W. Frequencies 5974.8 MHz and 6093.5 MHz on azimuth 281°18', and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 97°23'.
- 8870-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 14: C.P. for a new fixed station 2.7 miles northeast of Farmersville, Ohio, at latitude 39°42'06" N., longitude 84°22'51" W. Frequencies 6256.5 MHz and 6375.2 MHz on azimuth 277°36', and frequencies 11,605 MHz and 11,285 MHz on azimuth 67°57', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 182°11'.
- 8871-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 15: C.P. for a new fixed station 0.5 mile southeast of Gano, Ohio, at latitude 39°17'34" N., longitude 84°24'03" W. Frequencies 6004.5 MHz and 6123.1 MHz on azimuth 359°37', and frequencies 11,525 MHz and 11,285 MHz on azimuth 310°30', and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 2°10', and frequencies 11,405 MHz and 11,645 MHz on azimuth 204°33'.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—Continued

- 8872-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 16: C.P. for a new fixed station at 1201 Central Avenue, Middletown, Ohio, at latitude 39°30'55" N., longitude 84°24'10" W. Frequencies 6197.2 MHz and 6315.9 MHz on azimuth 179°37'.
- 8873-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 17: C.P. for a new fixed station at Rentschler Building, Second and High Streets, Hamilton, Ohio, at latitude 39°23'58" N., longitude 84°33'43" W. Frequencies 10,755 MHz and 10,995 MHz on azimuth 130°24'.
- 8874-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 18: C.P. for a new fixed station at Carew Tower Building, Fifth and Vine Streets, Cincinnati, Ohio, at latitude 39°06'08" N., longitude 84°30'48" W. Frequencies 10,955 MHz and 10,715 MHz on azimuth 24°29'.
- 8875-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 19: C.P. for a new fixed station at 1048 South Main Street, Dayton, Ohio, at latitude 39°45'39" N., longitude 84°11'28" W. Frequencies 11,155 MHz and 10,915 MHz on azimuth 248°04' and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 84°04'.
- 8876-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 20: C.P. for a new fixed station 0.2 mile northwest of Cortsville, Ohio, at latitude 39°47'50" N., longitude 83°43'32" W. Frequencies 6226.9 MHz and 6345.5 MHz on azimuth 264°22', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 81°41', and frequencies 11,405 MHz and 11,645 MHz on azimuth 332°19'.
- 8877-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 21: C.P. for a new fixed station at 34 West High Street, Springfield, Ohio, at latitude 39°55'25" N., longitude 83°48'42" W. Frequencies 10,755 MHz and 10,955 MHz on azimuth 152°16'.
- 8878-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 22: C.P. for a new fixed station 0.4 mile north-northwest of Big Plain, Ohio, at latitude 39°50'43" N., longitude 83°17'33" W. Frequencies 6034.2 MHz and 6152.8 MHz on azimuth 261°57', and frequencies 10,795 MHz and 11,035 MHz on azimuth 62°32'.
- 8879-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 23: C.P. for a new fixed station at 100 East Broad Street, Columbus, Ohio, at latitude 39°57'46" N., longitude 82°59'52" W. Frequencies 11,245 MHz and 11,485 MHz on azimuth 242°44' and frequencies 11,245 MHz and 11,485 MHz on azimuth 92°50'.
- 8880-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 24: C.P. for a new fixed station 1.2 miles west-southwest of Etna, Ohio, at latitude 39°57'05" N., longitude 82°42'31" W. Frequencies 10,795 MHz and 11,035 MHz on azimuth 273°01', and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 78°37'.
- 8881-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 25: C.P. for a new fixed station 2 miles south of Newark, Ohio, at latitude 40°01'41" N., longitude 82°22'02" W. Frequencies 6226.9 MHz and 6345.5 MHz on azimuth 253°50', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 28°26'.
- 8882-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 26: C.P. for a new fixed station 2.2 miles northwest of Spring Mountain, Ohio, at latitude 40°25'31" N., longitude 82°05'08" W. Frequencies 5945.2 MHz and 6063.8 MHz on azimuth 208°37', and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 33°47'.
- 8883-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 27: C.P. for a new fixed station 2.2 miles south of Apple Creek, Ohio, at latitude 40°42'46" N., longitude 81°49'57" W. Frequencies 6256.5 MHz and 6375.2 MHz on azimuth 213°57', and frequencies 6197.2 MHz and 6315.9 MHz on azimuth 32°42', and frequencies 6226.9 MHz and 6345.5 MHz on azimuth 75°53'.
- 8884-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 28: C.P. for a new fixed station at McKinley and Fourth Streets SW, Canton, Ohio, at latitude 40°49'50" N., longitude 81°22'38" W. Frequencies 6004.5 MHz and 6123.1 MHz on azimuth 256°11'.
- 8885-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 29: C.P. for a new fixed station at corner of Bowers and Main Streets, Akron, Ohio, at latitude 41°04'54" N., longitude 81°31'09" W. Frequencies 5945.2 MHz and 6063.8 MHz on azimuth 212°54', and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 1°49'.
- 8886-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 30: C.P. for a new fixed station 1.2 miles north-northeast of Warrensville, Ohio, at latitude 41°27'29" N., longitude 81°30'12" W. Frequencies 6197.2 MHz and 6315.9 MHz on azimuth 181°49', and frequencies 11,605 MHz and 11,365 MHz on azimuth 288°10'.
- 8887-C1-P-70—MCI Indiana-Ohio, Inc. (New), Site 31: C.P. for a new fixed station at Euclid and 17th Streets, Cleveland, Ohio, at latitude 41°30'06" N., longitude 81°40'50" W. Frequencies 11,155 MHz and 10,915 MHz on azimuth 108°03'.
- (Informative: Applicant proposes to provide Specialized Common Carrier Service over certain routes in Indiana and Ohio.)

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—Continued

- 8889-C1-P-70—Microwave Communications, Inc. (New), Site 1: C.P. for a new fixed station at 228 East Main Street, Rochester, Ill., at latitude 39°44'53" N., longitude 89°31'58" W. Frequencies 6034.2 MHz and 6152.8 MHz on azimuth 79°53'.
- 8890-C1-P-70—Microwave Communications, Inc. (New), Site 2: C.P. for a new fixed station 0.5 mile south of Decatur, Ill., at latitude 39°49'28" N., longitude 88°58'08" W. Frequencies 6256.5 MHz and 6375.2 MHz on azimuth 260°15', and frequencies 6226.9 MHz and 6345.5 MHz on azimuth 78°43'.
- 8891-C1-P-70—Microwave Communications, Inc. (New), Site 3: C.P. for a new fixed station 3.2 miles southeast of Ivesdale, Ill., at latitude 39°54'34" N., longitude 88°24'19" W. Frequencies 5974.8 MHz and 6093.5 MHz on azimuth 259°05', and frequencies 6034.2 MHz and 6152.8 MHz on azimuth 31°16'.
- 8892-C1-P-70—Microwave Communications, Inc. (New), Site 4: C.P. for a new fixed station at 19 East University Avenue, Champaign, Ill., at latitude 40°06'56" N., longitude 88°14'32" W. Frequencies 6256.5 MHz and 6375.2 MHz on azimuth 211°22', and frequencies 6226.9 MHz and 6345.5 MHz on azimuth 88°41'.
- 8893-C1-P-70—Microwave Communications, Inc. (New), Site 5: C.P. for a new fixed station at No. 4 North Vermilion Street, Danville, Ill., at latitude 30°07'29" N., longitude 87°37'51" W. Frequencies 6034.2 MHz and 6152.8 MHz on azimuth 269°05', and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 66°37', and frequencies 6034.2 MHz and 6152.8 MHz on azimuth 135°46'.
- 8894-C1-P-70—Microwave Communications, Inc. (New), Site 6: C.P. for a new fixed station 3.6 miles southeast of Atteca, Ind., at latitude 40°16'38" N., longitude 87°10'04" W. Frequencies 6226.9 MHz and 6375.2 MHz on azimuth 246°35', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 55°48'.
- 8895-C1-P-70—Microwave Communications, Inc. (New), Site 7: C.P. for a new fixed station at Third at Main Street, Lafayette, Ind., at latitude 40°25'08" N., longitude 86°53'40" W. Frequencies 6004.5 MHz and 6123.1 MHz on azimuth 235°59'.
- 8896-C1-P-70—Microwave Communications, Inc. (New), Site 8: C.P. for a new fixed station 0.3 mile northeast of Howard, Ind., at latitude 39°55'02" N., longitude 87°22'08" W. Frequencies 6226.9 MHz and 6345.5 MHz on azimuth 315°56', and frequencies 6226.9 MHz and 6345.5 MHz on azimuth 184°04'.
- 8897-C1-P-70—Microwave Communications, Inc. (New), Site 9: C.P. for a new fixed station at 16 South Sixth Street, Terre Haute, Ind., at latitude 39°27'57" N., longitude 87°24'37" W. Frequencies 6034.2 MHz and 6152.8 MHz on azimuth 4°02', and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 96°19'.
- 8898-C1-P-70—Microwave Communications, Inc. (New), Site 10: C.P. for a new fixed station 1 mile south of Cataract, Ind., at latitude 39°24'47" N., longitude 86°48'49" W. Frequencies 6226.9 MHz and 6404.8 MHz on azimuth 276°42', and frequencies 6197.2 MHz and 6315.4 MHz on azimuth 138°28', and frequencies 6286.2 MHz and 6404.8 MHz on azimuth 69°08'.
- 8899-C1-P-70—Microwave Communications, Inc. (New), Site 11: C.P. for a new fixed station at 205 North College Avenue, Bloomington, Ind., at latitude 39°10'04" N., longitude 86°32'06" W. Frequencies 5945.2 MHz and 6063.8 MHz on azimuth 318°39'.
- 8900-C1-P-70—Microwave Communications, Inc. (New), Site 12: C.P. for a new fixed station 2.1 miles west-northwest of Waverly, Ind., at latitude 39°33'37" N., longitude 86°18'40" W. Frequencies 5974.8 MHz and 6093.5 MHz on azimuth 249°27', and frequencies 11,385.0 MHz and 11,625.0 MHz on azimuth 29°45'.
- 8901-C1-P-70—Microwave Communications, Inc. (New), Site 13: C.P. for a new fixed station at Indianapolis National Bank Building, No. 1 Indiana Square, Indianapolis, Ind., at latitude 39°46'13" N., longitude 86°09'20" W. Frequencies 10,735 MHz and 11,055 MHz on azimuth 209°51'.
- (Informative: Applicant proposes to provide a customized communications carrier facilities between the existing MCI route and locations in the State of Indiana.)
- 8902-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 1: C.P. for a new fixed station at corner of Byron and Pearl Streets, Dallas, Tex., at latitude 32°47'05" N., longitude 96°47'42" W. Frequencies 10,875 MHz and 11,115 MHz on azimuth 78°29'.
- 8903-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 2: C.P. for a new fixed station 6 miles north of Forney, Tex., at latitude 32°50'29" N., longitude 96°27'47" W. Frequencies 11,645 MHz and 11,325 MHz on azimuth 258°40', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 124°51'.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 8904-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 3: C.P. for a new fixed station 5.4 miles east of Cedarvale, Tex., at latitude 32°34'04" N., longitude 96°00'02" W. Frequencies 6004.5 MHz and 6123.1 MHz on azimuth 305°06', and frequencies 6034.2 MHz and 6152.8 MHz on azimuth 96°21'.
- 8905-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 4: C.P. for a new fixed station 3.5 miles west of Lindale, Tex., at latitude 32°31'02" N., longitude 95°28'36" W. Frequencies 6286.2 MHz and 6404.8 MHz on Azimuth 276°38', and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 138°07', and frequencies 6226.9 MHz and 6345.5 MHz on azimuth 104°16'.
- 8906-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 5: C.P. for a new fixed station at intersection of College and Erwin Streets, Tyler, Tex., at latitude 32°21'09" N., longitude 95°18'10" W. Frequencies 6004.5 MHz and 6123.1 MHz on azimuth 318°12'.
- 8907-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 6: C.P. for a new fixed station 6.1 miles west of Kilgore, Tex., at latitude 32°24'39" N., longitude 94°59'16" W. Frequencies 5974.8 MHz and 6093.5 MHz on azimuth 284°31', and frequencies 5945.2 MHz and 6063.8 MHz on azimuth 92°34'.
- 8908-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 7: C.P. for a new fixed station 4.4 miles east of Gill, Tex., at latitude 32°22'56" N., longitude 94°17'10" W. Frequencies 6197.2 MHz and 6315.9 MHz on azimuth 73°41', and frequencies 6286.2 MHz and 6404.8 MHz on azimuth 272°56'.
- 8909-C1-P-70—MCI Texas East Microwave, Inc. (New), Site 8: C.P. for a new fixed station at 400 Travis Street, Shreveport, La., at latitude 32°30'51" N., longitude 93°44'58" W. Frequencies 6034.2 MHz and 6152.8 MHz on azimuth 253°59'.

(Informative: Applicant proposes to provide a Specialized Common Carrier Service between a route extending from Dallas, Tex., via Tyler, Tex., to Shreveport, La.)

- 8910-C1-P/L-70—Wyoming Telephone Co., Inc. (KVH59), C.P. and license to reinstate expired construction permit. Frequencies: 6130.5 and 11,155 MHz toward Big Piney, Wyo., via passive reflector. Station location: Corner of Franklin Avenue and Mills Street, Pinedale, Wyo.
- 8911-C1-P/L-70—Wyoming Telephone Co., Inc. (KVH60), C.P. and license to reinstate expired construction permit. Frequencies: 6367.7 and 11,325 MHz toward Hogsback Ridge, Wyo., and 6382.6 and 11,605.0 MHz toward Pinedale, Wyo., via passive reflector. Station location: Smith Avenue between Fish and Noble Streets, Big Piney, Wyo.
- 7791-C1-ML-70—Mountain States Telephone & Telegraph Co. (KYS30), Modification of license to increase bandwidth of emission.
- 7784-C1-ML-70—Mountain States Telephone & Telegraph Co. (KPN70), Modification of license to increase bandwidth of emission.
- 7787-C1-ML-70—Mountain States Telephone & Telegraph Co. (KPZ64), Modification of license to increase bandwidth of emission.

Major Amendment

- 8711-C1-P-70—MCI Mid-South, Inc.—Change azimuth from 53°20' to 18°11' for proposed Palmetto, Ga., station. All other particulars same as reported on page 19 of public notice dated June 29, 1970.
- 5880-C1-P-70—Illinois Bell Telephone Co. (WAN61), Change frequencies from 6019.3 and 10,895 MHz to 6078.6 and 10,975 MHz. All other particulars same as reported in public notice dated Apr. 13, 1970.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

- 8922-C1-MP-70—Video Service Co. (KSQ36), Modification of C.P. as follows: Location is 1 mile east of Lafayette, Ind. at latitude 40°24'36" N., longitude 86°50'17" W. Frequency 10,800 MHz on azimuth 248°36' toward Attica, Ind.
- 8923-C1-MP-70—Video Service Co. (KSQ37), Modification of C.P. as follows: Location is 1 mile southeast of Attica, Ind. at latitude 40°16'57" N., longitude 87°14'17" W. Frequency 11,000 MHz on azimuth 240°49' toward Danville, Ill.

[F.R. Doc. 70-8776; Filed, July 10, 1970; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

SOCIETY CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Society Corp., Cleveland, Ohio, for approval of acquisition of up to 100 percent (less directors' qualifying shares) of the voting shares of The Farmers National Bank & Trust Company of Ashtabula, Ashtabula, Ohio.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12

CFR 222.3(a)), the application of Society Corp., Cleveland, Ohio, for the Board's prior approval of the acquisition of up to 100 percent (less directors' qualifying shares) of the voting shares of The Farmers National Bank & Trust Company of Ashtabula, Ashtabula, Ohio.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Comptroller of the Currency, and requested his views and recommendation. The Comptroller recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on April 16, 1970 (35 F.R. 6221), providing an opportunity for interested persons to submit comments and views with respect

to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired, and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved; *Provided*, That the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such time shall be extended by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

By order of the Board of Governors,²
July 2, 1970.

[SEAL]

KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-8817; Filed, July 10, 1970;
8:45 a.m.]

NATIONAL SCIENCE FOUNDATION

LELAND J. HAWORTH

Notice of Authorization of Appearance

I hereby certify that, because of the outstanding scientific qualifications of Dr. Leland J. Haworth, a former Director of the National Science Foundation and thereby a former officer in the Executive Branch of the U.S. Government, the national interest will be served by Dr. Haworth acting as an agent for Associated Universities, Inc., and by his appearing personally from time to time on behalf of said corporation, before the National Science Foundation in connection with any particular matter in a scientific or technological field in which the Foundation is a party or has a direct or substantial interest and in which Dr. Haworth may have participated personally or substantially by virtue of his position as Director of the National Science Foundation. I make this determination and certification pursuant to the provisions of section 207 of Title 18 of the United States Code.

Dated: July 1, 1970.

[SEAL]

W. D. McELROY,
Director,
National Science Foundation.

[F.R. Doc. 70-8821; Filed, July 10, 1970;
8:46 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Cleveland.

² Voting for this action: Governors Mitchell, Daane, Maisel, and Sherrill. Voting against this action: Vice Chairman Robertson and Governor Brimmer. Absent and not voting: Chairman Burns.

FEDERAL POWER COMMISSION

[Docket No. G-7079, etc.]

R. L. WHARTON ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

JUNE 30, 1970.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before July 24, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given. All certificates of public convenience and necessity granting applications for sales from the Permian Basin area based on contracts executed on or before June 17, 1970, will be issued at rates not exceeding the applicable area ceiling rates established in Opinions Nos. 468 and 468-A, 34 FPC 159 and 1068, or the contractually authorized rates, whichever are less, unless at the time of filing of such certificate applications or within the time fixed for filing protests and petitions to intervene Applicants indicate in writing that they are unwilling to accept such certificates. Applications for certificates of

public convenience and necessity for sales from the Permian Basin area based on contracts executed subsequent to June 17, 1970, will be subject to the proceedings pending in Dockets Nos. R-389 and AR70-1.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-7079 E 5-28-70	R. L. Wharton (successor to Cities Service Oil Co.), Rural Delivery No. 3, Burgettstown, Pa. 15021.	Cumberland & Allegheny Gas Co., acreage in Lewis County, W. Va.	20.0	15.325
G-10665 D 6-15-70	Champlin Petroleum Co. (Operator), et al., Post Office Box 9365, Fort Worth, Tex. 76107 (partial abandonment).	Cities Service Gas Co., acreage in Alfalfa County, Okla.	(1)	.....
G-14711 6-1-70 ²	Hess Oil & Chemical Division, Amerada Hess Corp., (formerly Trans-State Oil Co.), 1 Hess Plaza, Woodbridge, N.J. 07095.	Southern Natural Gas Co., acreage in Walthall and Marion Counties, Miss.	21.55	15.025
G-16367 D 6-12-70	Mobile Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	Transwestern Pipeline Co., Feldman Field, Hamphill and Lipscomb Counties, Tex.	(2)	.....
CI 62-825 D 6-12-70	do	El Paso Natural Gas Co., Rojo Caballos Field, Pecos County, Tex.	(3)	.....
CI 63-356 C 4-27-70	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	Lone Star Gas Co., East Durant Field, Bryan County, Okla.	\$ 19.015	14.65
CI 64-953 E 6-11-70 ⁴	Jack W. Grigsby (Operator) et al. (successor to Brammer Engineering, Inc., agent (Operator) et al.), 1108 Commercial National Bank Bldg., Shreveport, La. 71101.	Florida Gas Transmission Co., North Veltin Field, St. Landry Parish, La.	15.0	15.025
CI 66-11237 E 4-6-70 ⁵	Schimmel Oil Co. (Operator) et al. (successor to Rodney DeLange (Operator) et al.), D-304 Petroleum Center, San Antonio, Tex. 78209.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Aite Hunde Field, Zapata County, Tex.	\$17.0	14.65
CI 66-1258 D 5-7-70 ⁶	Gulf Oil Corp. (Operator) et al., Post Office Box 1589, Tulsa, Okla. 74102.	Michigan Wisconsin Pipe Line Co., Northeast Cheyenne Valley Field, Major County, Okla.	(4)	.....
CI 67-564 E 6-4-70	White Shield Oil & Gas Corp. (successor to Marvin E. Wilhite et al.), c/o Richard M. Reddecliff, Attorney, Post Office Box 306, Buckhannon, W. Va. 26201.	Cumberland & Allegheny Gas Co., Union District, Barbour County, W. Va.	25.0	15.325
CI 67-565 E 4-6-70	do	Cumberland & Allegheny Gas Co., Warren District, Upshur County, W. Va.	25.0	15.325
CI 67-566 E 6-4-70	do	do	25.0	15.325
CI 67-567 E 6-4-70	do	Cumberland & Allegheny Gas Co., Union District, Barbour County, W. Va.	25.0	15.325
CI 67-568 E 6-4-70	do	do	25.0	15.325
CI 67-569 E 6-4-70	do	do	25.0	15.325
CI 67-570 E 6-4-70	do	do	25.0	15.325
CI 69-197 C 6-12-70	Ashland Oil, Inc., Post Office Box 18695, Oklahoma City, Okla. 73118.	United Fuel Gas Co., Poca District, Kanawha County, W. Va. (2 filings).	28.0	15.325
CI 69-766 E 5-19-70 ⁴	Sohio Petroleum Co. (Operator) et al. (successor to Inexco Oil Co. ¹⁰ (Operator) et al.), 970 First National Office Bldg., Oklahoma City, Okla. 73102.	Kansas-Nebraska Natural Gas Co., Inc., Lost Cabin Field, Fremont County, Wyo.	15.0	14.65
CI 69-766 ^{10a} 6-8-70 ²	Inexco Oil Co. (formerly International Nuclear Corp.), 308 Lincoln Tower Bldg., Denver, Colo. 80203.	do	15.0	14.65
CI 69-849 E 5-19-70 ⁴	Sohio Petroleum Co. (Operator), et al. (successor to Inexco Oil Co. ¹⁰ (Operator) et al.).	Colorado Interstate Gas Co., a Division of Colorado Interstate Corp., Madden Field, Fremont and Natrona Counties, Wyo.	15.0	14.65
CI 69-849 ^{10a} 6-8-70 ²	Inexco Oil Co. (formerly International Nuclear Corp.).	do	15.0	14.65
CI 69-1179 C 6-15-70	MacDonald Spidel, Post Office Box 183, Weston, W. Va. 26452.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	27.0	15.325
CI 70-236 C 6-15-70	Leben Drilling, Inc. (Operator) et al., 815 Wichita Plaza, Wichita, Kans. 67202.	Arkansas Louisiana Gas Co., Arkoma Basin, Le Flore County, Okla.	15.0	14.65
CI 70-431 A 10-31-69 ¹¹	Westrans Petroleum, Inc., 250 Park Ave., New York, N.Y. 10017.	Cumberland & Allegheny Gas Co., Union and Washington Districts, Upshur County, W. Va.	28.0	15.325
CI 70-597 6-8-70 ²	Inexco Oil Co. (formerly International Nuclear Corp.).	Transcontinental Gas Pipe Line Corp., Van Meter Field, Hardin County, Tex.	17.0	14.65
CI 70-716 6-8-70	do	Mountain Fuel Supply Co., Powder Wash Area, Sweetwater County, Wyo.; and Moffat County, Colo.	14.0	15.025
CI 70-783 6-8-70 ²	do	Natural Gas Pipeline Co. of America, Seven Oaks Area, Polk County, Tex.	17.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure zone
CI70-1079 A 6-10-70	Getty Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Michigan Wisconsin Pipe Line Co., Eugene Island Block 286 Field, Pecos County, La. and St. Mary Parish, La.	21.25	15.025
CI70-1080 A 6-10-70	Cities Service Oil Co., Post Office Box 300, Tulsa, Okla. 74102. (successor to Chevron Oil Co. Western Division), c/o Harry C. Mackery, Retamney 1606 First National Bldg., Oklahoma City, Okla. 74103.	Michigan Wisconsin Pipe Line Co., Eugene Island Area, Offshore La. Leone Star Gas Co., East Durant Field, Bryan County, Okla.	21.25	15.025
CI70-1082 A 6-5-70	Emerald Oil Co. (Operator) et al., Box 51325, Lafayette, La. 70501.	Tennessee Gas Pipeline Co., a division of Tennessee Co., acreage in Field, Lafourche Parish, La.	19.0	14.65
CI70-1083 CI70-1083 F 6-8-70	King Resources Co. (Operator) et al. (Operator) et al.), 700 Houston Natural Gas Bldg., Houston, Tex. 77002.	Tennessee Gas Pipeline Co., a division of Tennessee Inc., Kings Bayou Field, Cameron Parish, La.	21.25	15.025
CI70-1084 A 6-8-70	Geneva Smith, Trustee for Ray	United Fuel Gas Co., acreage in Knott County, Ky.	16.0	15.325
CI70-1085 A 6-8-70	Geneva Smith, Trustee for Charlie Young.	do.	16.0	15.325
CI70-1086 A 6-8-70	Geneva Smith, Trustee for Ray Smith.	do.	16.0	15.325
CI70-1087 A 6-8-70	do.	do.	16.0	15.325
CI70-1088 A 6-8-70	do.	do.	16.0	15.325
CI70-1089 A 6-10-70	Union Drilling, Inc., Post Office Box 281, Washington, Pa. 15301.	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	28.0	15.325
CI70-1090 A 6-8-70	Petroleum Corp. of Texas (Operator) et al., Post Office Box 911, Breckenridge, Tex. 76204.	Southern Union Gathering Co., acreage in San Juan County, N. Mex.	13.0	15.025
CI70-1091 CI70-1091 F 6-9-70	Texas Oil & Gas Corp., Operator (successor to Shell Oil Co. (Operator) et al.), 2700 Fidelity Union Tower, Dallas, Tex. 77002.	Panhandle Eastern Pipe Line Co., Avarad Field, Woods County, Okla.	19.515	14.65
CI70-1092 A 6-9-70	Appalachian Petroleum, Inc., 804 Commerce Sq., Charleston, W. Va. 25301.	Equitable Gas Co., Birch District, Braxton County, W. Va.	27.0	15.325
CI70-1093 B 6-9-70	Genere Gas Industries, Inc.	Texas Gas Transmission Corp., Northeast Bethany Field, Panola County, Tex.	Unecomical	
CI70-1094 A 6-11-70	Imperial - American Management Co., 777 Main Bldg., Houston, Tex. 77002.	Northern Natural Gas Co., acreage in Pecos County, Tex. (No. 1 DeWitt-Parke Well).	20.5	14.65
CI70-1095 A 6-11-70	do.	Northern Natural Gas Co., acreage in Pecos County, Tex. (Airport No. 1 Well).	20.5	14.65
CI70-1096 A 6-10-70	Champlin Petroleum Co. (Operator) et al., Post Office Box 9385, Fort Worth, Tex. 76107.	Marathon Oil Co., Fleming Field, Cheyenne County, Wyo.	13.0	15.025
CI70-1097 A 6-11-70	W. R. Smith, Trustee for David Hall, Bank of Hindman, Hindman, Ky. 41822.	United Fuel Gas Co., acreage in Knott County, Ky.	16.0	15.325
CI70-1098 A 6-11-70	W. R. Smith.	do.	16.0	15.325
CI70-1100 B 6-11-70	Mobil Oil Corp.	El Paso Natural Gas Co., Denton Plant, Lea County, N. Mex.	Assigned	
CI70-1101 A 6-12-70	Liberty Oil & Gas Co., c/o B. L. Ranson, partner, Liberty, W. Va. 25124.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	27.0	15.325
CI70-1102 A 6-15-70	The Louisiana Land & Exploration Co., Post Office Box 60350, New Orleans, La. 70160.	Transcontinental Gas Pipe Line Corp., Dog Lake Field, Terrebonne Parish, La.	22.0	15.025

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure zone
CI70-1103 B 6-15-70	Mobil Oil Corp.	Panhandle Eastern Pipe Line Co., Panhandle Field, Moore County, Tex.	(*)	
CI70-1104 B 6-16-70	H. L. Hunt et al., 1401 Elm St., Dallas, Tex. 75202.	Transcontinental Gas Pipe Line Corp., Bear Field, Beauregard Parish, La.	Depleted	
CI70-1105 A 6-16-70	Blue Creek Gas Co. and Michael Ross, % Stanley M. Rubip, Esq., Post Office Box 6387, Charleston, W. Va. 25302.	Equitable Gas Co., Copen Run Field, Braxton County, W. Va.	27.0	15.325
CI70-1106 A 6-15-70	Yucca Petroleum Co. (Operator) et al., 705 First National Bank Bldg., Amarillo, Tex. 79101.	Panhandle Eastern Pipe Line Co., acreage in Seward County, Kans.	19,266	14.65
CI70-1107 A 6-16-70	Texas Oil & Gas Corp. (Operator) et al.	Natural Gas Pipeline Co. of America, % El Paso Natural Gas Co., Okla.	17.0	14.65
CI70-1108 B 6-17-70	The Nueces Co., Operator, % Bernard A. Foster, III, Ross, Marsh & Foster, 725 13th St. NW., Washington, D.C. 20005.	Natural Gas Pipeline Co., Fort Unecomical Stockton Field, Pecos County, Tex.	Unecomical	

- 1 Pressure is insufficient to enter Buyer's line.
- 2 Amendment to certificate to reflect change in corporate name.
- 3 Deleted expired leases.
- 4 Deletes nonproducing leases.
- 5 Includes 0.015 cent per Mcf tax reimbursement.
- 6 Amendment filed to correct change in Operator.
- 7 No permanent certificate issued; temporary authorization only granted.
- 8 Rate suspended in Docket No. R170-383; Schimmel Oil has filed a motion to place this suspended rate in effect.
- 9 Rate of 16 cents per Mcf is in effect subject refund in Docket No. R170-745.
- 10 Deletes low-pressure casinghead gas from Williams No. 2 well from coverage under contract.
- 11 Formerly International Nuclear Corp.
- 12 Sohio Petroleum Co. has filed to succeed Inesco Oil Co. as Operator of subject properties.
- 13 Application was previously notified Nov. 17, 1969, in Docket Nos. G-3655, et al., at a total initial rate of 27 cents. By amendment filed May 19, 1970, Applicant amended its application to reflect a total initial rate of 28 cents per Mcf.
- 14 Contract provides for rate of 13.9581 cents per Mcf; however, Applicant states its willingness to accept certificate conditioned to 13 cents per Mcf.
- 15 Rate in effect subject to refund in Docket No. R169-138.
- 16 Leases are nonproductive.
- 17 Subject to upward and downward B.t.u. adjustment.
- 18 Includes 0.256-cent upward B.t.u. adjustment.

[F.R. Doc. 70-8764; Filed, July 10, 1970; 8:45 a.m.]

ALGONQUIN GAS TRANSMISSION CO.

Order Providing for Hearing; Suspending Proposed Revised Tariff Sheets; and Providing Hearing Procedures; Correction

JUNE 25, 1970.

In the order providing for hearing, suspending proposed Revised Tariff Sheets, and providing hearing procedures, issued May 28, 1970 and published in the FEDERAL REGISTER June 6, 1970, 35 F.R. 8842, footnote 3 should be changed to footnote 4 line 2, should have footnote No. 3 at its end. Footnote 3

[Docket No. RP70-30]

should read: Other Revised Tariff Sheets: Volume No. 1; Third Revised Sheet No. 8, Original Sheet No. 8-A, Original Sheet No. 8-B, Eighth Revised Sheet No. 15-K, Original Sheet No. 15-K.1, Original Sheet No. 15-K.2, Third Revised Sheet No. 15-Q, Original Sheet No. 15-Q.1, First Revised Sheet No. 24, First Revised Sheet No. 25, Second Revised Sheet No. 30-A.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-8869; Filed, July 10, 1970; 8:50 a.m.]

[Docket No. RP70-44]

LAWRENCEBURG GAS TRANSMISSION CORP.**Notice of Proposed Changes in Rates and Charges**

JULY 6, 1970.

Take notice that Lawrenceburg Gas Transmission Corp. (Lawrenceburg) on June 23, 1970, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1, to become effective on August 1, 1970. The proposed rate changes would increase charges for jurisdictional sales by approximately \$17,339 annually, based on volumes for the 12-month period ended June 30, 1969. The proposed increase would be applicable to Lawrenceburg's two jurisdictional rate schedules, CDS-1 and EX-1.

Lawrenceburg states that the reason for the proposed increase is occasioned solely by, and will compensate Lawrenceburg only for, an increase in its cost of purchased gas resulting from the filing of proposed increase rates by its sole supplier, Texas Gas Transmission Corp. on May 4, 1970, in Docket No. RP70-33. In case of suspension of the proposed rate increase, Lawrenceburg requests that the increased rates be suspended to no later than November 1, 1970, the date to which the proposed rate increase of Texas Gas was suspended in Docket No. RP70-33.

Copies of the filing were served on Lawrenceburg's 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 July 22, 1970, 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.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-8871; Filed, July 10, 1970;
8:50 a.m.]

[Project No. 1881]

**PENNSYLVANIA POWER & LIGHT CO.
Notice of Application for New License
for Constructed Project**

JULY 7, 1970.

Public notice is hereby given that an application under section 15 of the Federal Power Act, as amended (16 U.S.C. 808), for a new 50-year license was filed by Pennsylvania Power & Light Co. (Applicant) on February 27, 1970 (corre-

spondence to: Austin Gavin, Executive Vice President, Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa. 18101), for the continued operation and maintenance of constructed Project No. 1881, known as the Holtwood Project, located on the Susquehanna River in Lancaster and York Counties in the vicinity of the cities of Lancaster and York, Pa. Project No. 1881 affects navigable waters of the United States. The present license for Project No. 1881 expired June 30, 1970.

Project facilities include (1) a concrete gravity dam approximately 55 feet high, 2,392 feet long with crest elevation at 165 feet (m.s.l.) surmounted by 4.75-foot flashboards, and power intake section 510 feet long; (2) a pool (Lake Aldred) formed by the dam extending upstream about 8 miles with a surface area of 2,400 acres at elevation 169.75 feet; (3) a powerhouse integral with the dam containing 10 units having an aggregate capacity of 107,200 kw; (4) a substation; and (5) all other facilities and interests appurtenant to operation of the project.

Recreational activities at the project site include boating, fishing, and camping. A number of small islands within the reservoir area are available for such activities, and Applicant has provided two campgrounds, boat access areas, a tailrace fishing area, six picnic areas, two overlooks and 6 miles of hiking trails.

Applicant's electric utility system is a part of the PJM (Pennsylvania-New Jersey-Maryland) Interconnection, and its market for project power would continue to be within its Central Eastern Pennsylvania service territory. At the present time, Applicant does not propose the installation of any additional capacity.

The Applicant estimates that the fair value of the Holtwood Project as of December 31, 1969, was \$14 million; that its net investment (actual legitimate original cost less depreciation) in the project at that time was \$9,950,000; and that severance damages would amount to \$21,520,000.

According to the Applicant, takeover of the Holtwood Project or its being licensed to another applicant would result in an increase in Applicant's cost of service of about \$1,800,000 annually. Applicant further estimates that an additional cost of \$620,000 would be incurred in separating from the project facilities the steam facilities of the adjacent steam electric generating station owned by Applicant the output of which is commingled. In addition Applicant estimates that takeover of the project by the United States would result in an annual loss to the Federal, State and local governments of tax revenues in the amount of \$225,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 19, 1970, 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 con-

sidered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-8872; Filed, July 10, 1970;
8:50 a.m.]

**OFFICE OF THE SPECIAL
REPRESENTATIVE FOR
TRADE NEGOTIATIONS**

[Docket No. 70-1]

TRADE INFORMATION COMMITTEE**Notice of Public Hearing**

Notice of public hearing requesting views of association agreements between European Economic Community and Morocco and Tunisia dated August 8, 1969.

Timetable. A. Requests to present oral testimony must be received by Friday, July 31, 1970.

B. Written briefs must be received by Friday, August 7, 1970.

C. Hearing begins Tuesday, August 18, 1970.

1. *Notice of public hearings.* By letter dated June 24, 1970, the California-Arizona Citrus League, on behalf of the citrus industry of California and Arizona, has filed a request for a public hearing under section 252(d) of the Trade Expansion Act of 1962 (76 Stat. 880; 19 U.S.C. 1882(d)). The Trade Information Committee in the Office of the Special Representative for Trade Negotiations (hereinafter referred to as the Committee) has ordered a public hearing to be held pursuant to the cited section of the Act and the following: Section 3(d) of Executive Order 11075, as amended (3 CFR (1959-1963 Comp.) pp. 693 and 766); 15 CFR 1102.3; and §§ 1111.2(b) and 1111.3(a) of the Committee's Regulations (15 CFR 1111.2(b) and 1111.3(a)).

The text of the Association Agreements and the request from the California-Arizona citrus industry are available in a public inspection file at the Office of the Committee.

2. *Subject matter of the public hearings.* The hearing to be held by the Committee is for the purpose of providing an opportunity to the public to present all facts and views pertaining to the effect on the United States of the trade arrangements provided in the Association Agreements between the European Economic Community and Morocco and Tunisia, dated August 8, 1969.

3. *Time and place of public hearing.* The public hearing will commence at 10:30 a.m., Tuesday, August 18, 1970

in Room 730, 1800 G Street NW., Washington, D.C. 20506.

4. *Requests to present oral testimony.* All requests to present oral testimony must be received by the Chairman of the Committee not later than Friday, August 7, 1970.

Requests to present oral testimony must conform with the regulations of the Committee (15 CFR Part 1111). Requests shall be submitted in an original and three copies and must include the following information:

(a) The name, address, and telephone number of the party submitting the request:

(b) The name, address, and telephone number, and official position of the person submitting the request on behalf of the party referred to in subparagraph (a):

(c) A brief indication of the interest of, and the position to be taken by, the party:

(d) The name, address, and telephone number of the person or persons who will present oral testimony; and

(e) The amount of time desired for the presentation of oral testimony.

Each party whose request is granted will be notified of the date on which he is scheduled to appear, the amount of time allotted for his presentation, and the place of the hearing. The Committee reserves the right to restrict the time allotted for the presentation of oral testimony. Any party whose request is denied will be notified of the reasons therefor.

5. *Submission of written briefs.* Any interested party may submit a written brief to the Committee concerning the subject matter of the public hearing. Each party presenting oral testimony must submit a brief. All briefs must be received not later than Friday, August 7, 1970.

6. *Information exempt from public inspection.* Parties are encouraged to support their briefs with all available information, including material that may be of a confidential nature. In this regard, parties are referred to sections 7 and 8 of the regulations of the Committee (15 CFR 1111.7 and 1111.5) for the provisions concerning information exempt from public inspection. These regulations will be provided upon request.

Requests to present oral testimony should contain no confidential information, and any request marked "For Official Use Only", or similarly marked, will not be accepted. In addition, every written brief must present in nonconfidential form, on separate pages, a statement of the party's position and supporting arguments.

7. *Public inspection of written materials.* Subject to the regulations of the Committee, and in particular sections 7 and 8 (15 CFR 1111.7 and 1111.8), all written materials filed with the Committee in connection with the hearing will be open to public inspection, by appointment, at the office of the Chairman, Room 725, 1800 G Street NW., Washing-

ton, D.C. 20506. Transcripts of the hearing will also be available for inspection, but not for reproduction. Transcripts may be purchased from the official reporter.

8. *Communications.* All communications with regard to the hearing should be addressed to: Chairman, Trade Information Committee, Office of the Special Representative for Trade Negotiations, Room 725, 1800 G Street NW., Washington, D.C. 20506, phone (395-3434).

LOUIS C. KRAUTHOFF II,
Chairman,
Trade Information Committee.

[F.R. Doc. 70-8931; Filed, July 10, 1970;
8:52 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2736]

CAL-WESTERN SEPARATE ACCOUNT A AND CALIFORNIA - WESTERN STATES LIFE INSURANCE CO.

Notice of Application for Exemption

JULY 6, 1970.

Notice is hereby given that California-Western States Life Insurance Co. ("Cal-West") and Cal-Western Separate Account A ("Separate Account"), 2020 L Street, Sacramento, Calif. 95814 (hereinafter Applicants), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. 80a-1 et seq. (Act), for an order exempting Applicants from the provisions of section 22(d) of the Act. Cal-West established Separate Account, registered as an open-end diversified investment company under the Act, as the facility through which it sets aside and invests assets attributable to variable annuity contracts issued to persons who qualify for certain tax deferred benefits under sections 401 and 403(b) of the Internal Revenue Code of 1954, as amended ("Code"). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are set forth below.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. This section has been construed as prohibiting variations in the sales load except on a uniform basis.

In connection with the sale of variable annuity contracts specified charges from payments are deducted in order to cover sales and administrative expenses. Applicants propose to eliminate the sales and administrative expense charges in cases where either group or individual variable annuity contracts are purchased by application of proceeds (e.g., maturity values, cash surrender values)

payable by Cal-West under insurance policies or fixed-dollar annuity contracts which were issued to fund retirement plans under sections 401 and 403(b) of the code. Purchases of variable annuity contracts by the application of such proceeds would be permitted only once yearly.

Applicants assert that no unfair discrimination among purchasers of variable annuity contracts will result from the proposed elimination of charges. In all cases, sales charges will have been included in the premiums paid under the Cal-West insurance and fixed annuity contracts. Applicants state that the elimination of the sales and administrative charges on such transactions would serve to avoid their accumulation.

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 24, 1970, 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 Applicants 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, by the Division of Corporate Regulation pursuant to delegated authority.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 70-8822; Filed, July 10, 1970;
8:46 a.m.]

[811-1630]

MINISTERS LIFE VARIABLE ANNUITY ACCOUNT

Notice of Filing of Application for Order Declaring Company Has Ceased To Be an Investment Company

JULY 6, 1970.

Notice is hereby given that Ministers Life Variable Annuity Account (Applicant), 3100 West Lake Street, Minneapolis, Minn. 55416, established on January 16, 1968, by resolution of the Board of Directors of The Ministers Life and Casualty Union, as a separate account for variable annuity contracts under the laws of the State of Minnesota and registered as an open-end, diversified management investment company under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Applicant registered as an investment company under the Act on March 29, 1968, and also registered \$5 million of its Individual Variable Annuity Contracts (Contracts) under the Securities Act of 1933. On May 8, 1969, Applicant's registration statement under the Securities Act of 1933 was amended, reducing the amount of Contracts to be offered to \$5,000. The registration statement covering the remaining \$4,995,000 of Contracts is being ordered withdrawn upon Applicant's representation that it no longer intends to make a public offering of Contracts and that none of the Contracts has been sold.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than July 28, 1970, 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 the Applicant at the address stated above. Proof of such service (by affidavit or in the 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 70-8823; Filed, July 10, 1970;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 63]

APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

JULY 8, 1970.

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 proceedings with respect thereto. (49 CFR 1100.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9350. (Petition) (ROBERT B. SCHILLI, Trustee — Control — SCHILLI TRANSPORTATION, INC., et al., and SCHILLI MOTOR LINES, INC.— Merger—GARRISON ELEVATOR CO., INC.), published in the March 2, 1966, issue of the FEDERAL REGISTER, page 3325. By petition filed July 2, 1970, ROBERT B. SCHILLI, Trustee, seeks modification of the order dated November 29, 1966, by Finance Board No. 1, as supplemented. These orders of the Board authorize Robert B. Schilli, as trustee, to control Schilli Transportation, Inc., and Schilli Motor Lines, Inc., through management. By the instant petition, he would acquire, as trustee, and with the approval of the Probate Court of St. Louis County, Mo., the operating rights of Schilli Transportation, Inc., in partial distribution under provisions of section 337 of the Internal Revenue Code.

NOTE: The time for filing protests to this petition will be reduced to 15 days instead of 30 days.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-8876; Filed, July 10, 1970;
8:50 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 8, 1970.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41993—Fresh meats and packinghouse products to points in southern territory. Filed by Illinois Freight Association, agent (No. 358), for interested rail carriers. Rates on fresh meats and packinghouse products, in carloads, as described in the application, from specified points in Illinois Freight Association territory, to points in southern territory.

Grounds for relief—Rate relationship. Tariff—Supplement 54 to Illinois Freight Association, agent, tariff ICC 1112.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-8880; Filed, July 10, 1970;
8:51 a.m.]

[Notice 111]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 8, 1970.

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 115793 (Sub-No. 8 TA), filed July 1, 1970. Applicant: CALDWELL FREIGHT LINES, INC., Post Office Box 672, U.S. Highway 321 South, Lenoir, N.C. 28645. Authority sought to operate as a common carrier, by motor vehicle,

over irregular routes, transporting: *New furniture and furniture parts*, from Hickory, Conover, Newton, and Lincoln, N.C., except the plantsites of Broyhill Furniture Industries located at Newton and Conover, N.C., to points in Missouri, for 180 days. NOTE: Applicant presently holds authority to serve the plantsites of Broyhill Furniture Industries at Newton and Conover, N.C., to points in Missouri in MC 115793, Sub-7. Supporting shippers: There are approximately 10 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Jack K. Huff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 417, 316 East Morehead Street, Charlotte, N.C. 28202.

No. MC 119777 (Sub-No. 185 TA), filed July 2, 1970. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Fred F. Bradley, County Courthouse, St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets, skids, wood packaging items, including bins, boxes, containers, spacers, and bases*, from the plantsite of Foley & Sons Wood Packaging, Inc., Johnson County, Ind., to points in the United States, for 180 days. Supporting shipper: Foley & Sons Wood Packaging, Inc., Bargersville, Ind. Send protests to: Wayne L. Merilatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 123061 (Sub-No. 56 TA), filed July 2, 1970. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed automobile bodies, scrap automobile engines and transmissions*, from points in Idaho to Portland, Ore., for 180 days. Supporting shipper: Rackliff Bros. Inc., 309 Woodlawn Drive, Caldwell, Idaho 83605 (Fred Rackliff, Secretary-Treasurer). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 125839 (Sub-No. 2 TA), filed July 1, 1970. Applicant: RAYMOND RAY, doing business as RAY'S TOWBAR SERVICE, 114 Fifth Avenue SW., West Fargo, N. Dak. 58078. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles, in secondary movements, in driveway service*. (1) from Fargo, N. Dak., to Superior, Wis., and points in Minnesota and South Dakota; and (2) from points in Colorado, Montana, and Washington to Fargo, N. Dak., for 180 days. Supporting shipper: Tri-State Auction Co., Inc., Box 981, Fargo, N. Dak. 58102. Send protests to: J. H.

Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, N. Dak. 58102.

No. MC 125871 (Sub-No. 7 TA), filed July 2, 1970. Applicant: CHESTER FRY AND MARIE E. FRY, a partnership, doing business as FRY TRUCKING, Wilton Junction, Iowa 52778. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, animal and poultry feed ingredients, animal and poultry health and related products, insecticides, pesticides, and empty bags and containers, advertising matter and premiums*, except in bulk; (1) from Kansas City, Mo., to Geneseo, Ill., and Norfolk, Nebr.; (2) from Geneseo, Ill., to Kansas City, Mo., and Norfolk, Nebr.; (3) from Norfolk, Nebr., to Kansas City, Mo., for 180 days. Supporting shipper: Columbian Hog & Cattle Powder Co., 1457 Geneseo Street, Kansas City, Mo. 64102. Send protests to: District Supervisor Ellis L. Annett, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 126255 (Sub-No. 2 TA), filed July 1, 1970. Applicant: WALTER M. BUTLER, JR., 605 East College Avenue, Salisbury, Md. 21801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Salisbury-Wicomico Airport, Salisbury, Md., and points within 25 miles of said airport, for 180 days. NOTE: Applicant does not intend to tack with the authority now held. Supporting shippers: There are approximately 20 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 206 Old Post Office Building, 129 East Main Street, Salisbury, Md. 21801.

No. MC 126561 (Sub-No. 2 TA), filed July 2, 1970. Applicant: STARLIN MITCHELL, doing business as MITCHELL TRUCKING COMPANY, Route 3, Box 194H, Corbin, Ky. 40701. Applicant's representative: Ollie M. Merchant, Suite 202, 140 South Fifth Street, Louisville, Ky. 40202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, from Cincinnati, Ohio, and its commercial zone, to Manchester and Middlesboro, Ky., for 180 days. Supporting shippers: George D. Anderson, Southern States Cooperative, Inc., Manchester, Ky. 40962; Willard Asher, Beel County Farm Supply, 705 North 19th Street, Middlesboro, Ky. 40965. Send protests to: R. W. Schneider,

District Supervisor, Interstate Commerce Commission, Bureau of Operations, 222 Bakhaus Building, 1500 West Main Street, Lexington, Ky.

No. MC 128312 (Sub-No. 2 TA), filed July 2, 1970. Applicant: SIDNEY SCHWARTZ, doing business as SCHWARTZ TRUCKING COMPANY, 1355 East 18th Street, Brooklyn, N.Y. 11230. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Radios, televisions, hi-fi equipment, video tape recorders, business machines, and parts*, between Moonachie, N.J., on the one hand, and, on the other, piers in Newark and Elizabeth, N.J., and points in the New York, N.Y., commercial zone, for 180 days. Supporting shipper: Sony Corp. of America, 1 Sony Drive, Moonachie, N.J. 07074. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 128527 (Sub-No. 14 TA), filed July 2, 1970. Applicant: MAY TRUCKING COMPANY, Post Office Box 398, Payette, Idaho 83661. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal and compressed automobile bodies and parts*, from points in Idaho south of the southern boundary of Idaho County, to Portland, Ore., for 150 days. NOTE: Applicant does not intend to tack authority hereto applied for to that held, or to interline with other carriers. Supporting shipper: Rackliff Bros., Inc., 309 Woodlawn Drive, Caldwell, Idaho 83605. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 455 Federal Building and U.S. Courthouse, 550 West Fort Street, Boise, Idaho 83702.

No. MC 129184 (Sub-No. 4 TA), filed July 1, 1970. Applicant: KENNETH L. KELLAR, Post Office Box 449, Blaine, Wash. 98230. Applicant's representative: Joseph O. Earp, 411 Lyon Building, Seattle, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquor*, from the international boundary line between the United States and Canada at or near Detroit, Mich., to Blaine, Wash. (restricted to shipments originating in Ontario, Canada) under continuing contract with Pac-Can Exports, Inc., Blaine, Wash.; (2) *liquor*, from West Palm Beach, Fla., to Blaine, Wash.; New Orleans, La.; Laredo, Tex.; Champlain and Buffalo, N.Y.; Ogdensburg and Alexandria Bay, N.Y.; Detroit and Port Huron, Mich.; Duluth, Minn.; Superior, Wis.; and San Francisco, Calif. Restricted to shipments having had an immediately prior movement by water. Under a continuing contract with Todhunter-Mitchell & Co., Ltd., Freeport, Bahamas, for 180 days. Supporting shippers: Todhunter-Mitchell & Co., Ltd., 207 Commerce Building, 324 Datura Street, Post Office Box 126, West Palm Beach,

Fla. 33402, and Pac-Can Exports, Inc., Post Office Box 189, Second and C Streets, Blaine, Wash. 98230. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 134323 (Sub-No. 3 TA), filed July 2, 1970. Applicant: JAY LINES, INC., 6210 River Road, Post Office Box 1644, Amarillo, Tex. 79109. Applicant's representative: John W. Trammell, Jr. (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dated printed publications*, from Bridgeport, Conn., and its commercial zone to Dallas and Houston, Tex., Denver, Colo., and Kansas City, Mo., and their commercial zones, for 180 days. Supporting shipper: Vincent J. Walsh, President and General Manager, Magazine Shippers Association, 149 Madison Avenue, New York, N.Y. 10016. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 918 Tyler Street, Amarillo, Tex. 79101.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-8877; Filed, July 10, 1970;
8:50 a.m.]

[Notice 557]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 8, 1970.

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-72236. By order of July 6, 1970, the Motor Carrier Board approved the transfer to Mabel C. Pickel, doing business as Ray A. Pickel Trucking Co., Brogueville, Pa., of certificate No. MC-43992 and MC-43992 (Sub-No. 1) issued to Ray A. Pickel, Brogueville, Pa., authorizing the transportation of: Such merchandise as is dealt in by wholesale grocery business houses, fertilizer, crushed stone, and acid phosphates, between specified points in Maryland and Pennsylvania. Norman T. Petow, 43 North Duke Street, York, Pa. 17401, attorney for applicants.

No. MC-FC-72242. By order of July 6, 1970, the Motor Carrier Board approved the transfer to Savage Trucking Co., Inc., Chester Depot, Vt., of the entire operating rights set forth in certificates Nos. MC-127616 (Sub-No. 1), MC-127616

(Sub-No. 2), MC-127616 (Sub-No. 4), MC-127616 (Sub-No. 5), MC-127616 (Sub-No. 7), MC-127616 (Sub-No. 8), MC-127616 (Sub-No. 12), and MC-127616 (Sub-No. 16) issued July 14, 1966, August 10, 1966, May 12, 1967, April 21, 1967, May 8, 1967, August 22, 1967, August 19, 1968, and March 16, 1970, respectively to Hanson M. Savage, doing business as Savage Trucking Co., Chester Depot, Vt., authorizing the transportation of wood chips, forest products, lumber, rough lumber, logs, prefabricated log buildings, road building and grading materials, livestock, pickles, Christmas trees, evergreens, brick, oyster poles, groceries and sawmill machinery, from and to, or between specified points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, Vermont, West Virginia, Wisconsin, and the District of Columbia. Werner & Alfano, 2 West 45th Street, New York, N.Y. 10036, attorneys for applicants.

No. MC-FC-72245. By order of July 6, 1970, the Motor Carrier Board approved the transfer to Max Kafer Express, Inc., New York, N.Y., certificates Nos. MC-87123 and MC-87123 (Sub-No. 2) issued to Rose Hare, doing business as Max Kafer Express, New York, N.Y., authorizing the transportation of: Clothing and wearing apparel, and parts used in the manufacture, between specified points and areas in New York and New Jersey, and Pennsylvania. Herman B. J. Weckstein, 60 Park Place, Newark, N.J. 07102, attorney at law.

No. MC-FC-72247. By order of July 6, 1970, the Motor Carrier Board approved the transfer to Haldon S. Miller, Helena, Ohio, of the operating rights in certificates Nos. MC-77214, MC-77214 (Sub-No. 2), and MC-77214 (Sub-No. 3) issued January 5, 1943, November 4, 1958, and March 21, 1961, respectively to Walter A. Wandke, Pemberville, Ohio, collectively authorizing the transportation of feed and other specified commodities from and to specified points in Ohio and Michigan. James R. Stiverson, Edwin H. Van Deusen, 50 West Broad Street, Columbus, Ohio 43215, attorneys for applicants.

No. MC-FC-72248. By order of July 6, 1970, the Motor Carrier Board approved the transfer to Arthur A. Rice, doing business as Art's Mobile Homes, Grand Junction, Colo., of the operating rights in certificate No. MC-116450 (Sub-No. 1), issued January 30, 1959, to Junior A. Cole and Raymond C. Cole, doing business as Cole Brothers Trailer Transport, Grand Junction, Colo., authorizing the transportation of used house trailers between Grand Junction, Colo., on the one hand, and, on the other, points in Arizona, Utah, New Mexico, and Wyoming. Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-8881; Filed, July 10, 1970;
8:51 a.m.]

RAILROADS UNABLE TO TRANSPORT TRAFFIC BECAUSE OF WORK STOPPAGE

Rerouting or Diversion of Traffic

In the opinion of Lewis R. Teeple, agent, various railroads are unable to transport traffic over their lines because of work stoppage by certain of their operating employees.

It is ordered, That:

(a) Rerouting traffic: Certain railroads being unable to transport traffic over their lines because of work stoppage by certain of their operating employees; these carriers and their connections are hereby authorized to reroute or divert such traffic over any available route to expedite the movement, regardless of the routing designated on the waybill. The billing covering all such cars rerouted or diverted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 2 p.m., July 7, 1970.

(g) Expiration date: This order shall expire at 11:59 p.m., July 17, 1970, unless otherwise modified, changed, or suspended.

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 7,
1970.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[F.R. Doc. 70-8878; Filed, July 10, 1970;
8:50 a.m.]

[Rev. S.O. 994; ICC Order 48-A]

**RAILROADS UNABLE TO TRANSPORT
TRAFFIC BECAUSE OF WORK
STOPPAGE**

Rerouting or Diversion of Traffic

Upon further consideration of ICC
Order No. 48 (railroads unable to trans-
port traffic because of work stoppage)
and good cause appearing therefor:

It is ordered, That:

(a) ICC Order No. 48 be, and it is
hereby, vacated and set aside.

(b) Effective date: This order shall
become effective at 8 a.m., July 8, 1970.

It is further ordered, That this order
shall be served upon the Association of
American Railroads, Car Service Divi-
sion, as agent of all railroads subscribing
to the car service and per diem agree-
ment 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 8,
1970.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[F.R. Doc. 70-8879; Filed, July 10, 1970;
8:50 a.m.]

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