

FEDERAL REGISTER

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Agencies in this issue—

Agricultural Research Service
Atomic Energy Commission
Coast Guard
Consumer and Marketing Service
Education Office
Federal Aviation Administration
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Hazardous Materials Regulations
Board
Health, Education,
and Welfare Department
Interim Compliance Panel
(Coal Mine Health and Safety)
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
National Highway Safety Bureau
National Oceanic and
Atmospheric Administration
Post Office Department
Securities and Exchange Commission
Small Business Administration
Treasury Department

Detailed list of Contents appears inside.



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Contents

AGRICULTURAL RESEARCH SERVICE

Rules and Regulations

Hog cholera and other communicable swine diseases; areas quarantined 16731

AGRICULTURE DEPARTMENT

See Agricultural Research Service; Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION

Notices

Consumers Power Co.; notice of hearing on application for construction permits 16749

University of Texas; issuance of amendment to facility license... 16749

COAST GUARD

Notices

Delaware River; security zone... 16749

COMMERCE DEPARTMENT

See National Oceanic and Atmospheric Administration.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Lettuce grown in Lower Rio Grande Valley in south Texas; expenses and rate of assessment 16731

Proposed Rule Making

Celery grown in Florida; expenses and rate of assessment... 16736

Cranberries grown in certain States; proposed ending date for compliance 16736

EDUCATION OFFICE

Notices

Grants for noncommercial educational broadcasting facilities; acceptance of applications for filing 16747

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

Standard instrument approach procedures; miscellaneous amendments 16732

Transition area; designation... 16732

Proposed Rule Making

Aircraft maintenance and related records 16740

FEDERAL COMMUNICATIONS COMMISSION

Proposed Rule Making

Kerrville-Fredericksburg, Tex. TV stations; table of assignments... 16743

Specialized common carrier services in domestic public point-to-point microwave radio service... 16742

FEDERAL MARITIME COMMISSION

Notices

Agreements filed:

States Steamship Co. and Everett Orient Line, Inc. 16751

States Steamship Co. and Johnson Line 16751

FEDERAL POWER COMMISSION

Proposed Rule Making

Exemption of certain transport and/or sales of liquefied natural gas 16744

Purchased gas cost adjustment provisions in natural gas pipeline companies' FPC Gas Tariff... 16743

Notices

Hearings, etc.:

Pan American Petroleum Corp. et al. 16751

Texas Gas Transmission Corp... 16756

FEDERAL RESERVE SYSTEM

Notices

Southeast Bancorporation, Inc.; application for approval of acquisition of shares of bank... 16757

Southwest Bancshares, Inc.; approving action to become a bank holding company 16757

FEDERAL TRADE COMMISSION

Rules and Regulations

A.B.C. Fabrics, Inc. et al.; prohibited trade practices 16732

FISH AND WILDLIFE SERVICE

Notices

Cape Romain National Wildlife Refuge; notice of public hearing regarding wilderness proposal... 16746

FOOD AND DRUG ADMINISTRATION

Proposed Rule Making

Food for special dietary uses; label statements relating to infant food 16737

HAZARDOUS MATERIALS REGULATIONS BOARD

Proposed Rule Making

Transportation of hazardous materials; tank car specifications... 16741

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Education Office; Food and Drug Administration.

Notices

Executive Officer; statement of organization, functions, and delegations of authority 16748

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

Notices

Westmoreland Coal Co. et al.; opportunity for hearing (2 documents) 16757, 16758

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Land Management Bureau.

Notices

Statement of changes in financial interests:
Beck, Howard A. 16747
Bilby, C. R. 16747
Broaddus, James S. 16747
Hieronymus, John W. 16747
Sewell, Kenneth I. 16747
Timme, E. F. 16747

INTERNAL REVENUE SERVICE

Proposed Rule Making

Depreciation of expenditures to rehabilitate low-income housing... 16736

INTERSTATE COMMERCE COMMISSION

Notices

Chicago, Rock Island and Pacific Railroad Co.; car distribution... 16775

Fourth section applications for relief (2 documents) 16773

Motor carriers:

Temporary authority applications 16773

Transfer proceedings 16775

Motor carrier, broker, water carrier and freight forwarder applications 16760

(Continued on next page)

LAND MANAGEMENT BUREAU**Notices**

Arizona: Aravaipa Canyon, notice of restricted vehicle use closure order	16745
Land classifications:	
Alaska	16745
Nevada	16746
Wyoming	16746

NATIONAL HIGHWAY SAFETY BUREAU**Rules and Regulations**

Federal motor vehicle safety standards; new pneumatic tires; passenger cars	16734
---	-------

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**Notices**

James, Embert F.; notice of loan application	16748
--	-------

POST OFFICE DEPARTMENT**Rules and Regulations**

Service in post offices; post office box rental fees	16734
--	-------

SECURITIES AND EXCHANGE COMMISSION**Rules and Regulations**

Timely disclosure of material corporate developments	16733
--	-------

Notices

Continental Vending Machine Corp.; order suspending trading	16758
---	-------

SMALL BUSINESS ADMINISTRATION**Notices**

AMCO Capital Corp.; surrender of license to operate as a small business investment company ..	16760
Declaration of disaster loan areas:	
Oklahoma	16758
Puerto Rico and Virgin Islands ..	16758

Delegations of authority:

Associate Administrator for Financial Assistance	16759
Manager, Disaster Branch Office, Shawnee, Okla.	16759
Regional Division Chiefs et al., Region V	16758
Equal Opportunity Finance, Inc.; issuance of small business investment company license	16760

TRANSPORTATION DEPARTMENT

See Coast Guard; Federal Aviation Administration; Hazardous Materials Regulations Board; National Highway Safety Bureau.

TREASURY DEPARTMENT

See also Internal Revenue Service.

Notices

Ferrite cores from Japan; determination of sales at less than fair value	16745
Loudspeakers from Japan; determination of sales at not less than fair value	16745

List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1970, and specifies how they are affected.

7 CFR

971	16731
-----------	-------

PROPOSED RULES:

929	16736
967	16736

9 CFR

76	16731
----------	-------

14 CFR

71	16732
97	16732

PROPOSED RULES:

91	16740
121	16740
127	16740

16 CFR

13	16732
----------	-------

17 CFR

231	16733
241	16733
271	16733

18 CFR**PROPOSED RULES:**

154	16743
157	16744

21 CFR**PROPOSED RULES:**

125	16737
-----------	-------

26 CFR**PROPOSED RULES:**

1	16736
---------	-------

39 CFR

151	16734
-----------	-------

47 CFR**PROPOSED RULES:**

21	16742
43	16742
61	16742
73	16743

49 CFR

571	16734
-----------	-------

PROPOSED RULES:

179	16741
-----------	-------

Rules and Regulations

Title 7—AGRICULTURE

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

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

Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment to be effective under Marketing Agreement No. 144 and Order No. 971 (7 CFR Part 971) regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas, was published in the FEDERAL REGISTER October 7, 1970 (35 F.R. 15760). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit data, views, or arguments pertaining thereto not later than 15 days following its publication in the FEDERAL REGISTER. None were filed.

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were recommended by the South Texas Lettuce Committee, established pursuant to said marketing agreement and order, it is hereby found and determined that:

§ 971.210 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period August 1, 1970, through July 31, 1971, by the South Texas Lettuce Committee for its maintenance and functioning and for such purposes as the Secretary determines to be appropriate will amount to \$28,000.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be two cents (\$0.02) per carton of lettuce handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending July 31, 1971, may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

It is hereby 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) the relevant provisions of said marketing agreement and this part require that the rate of assessment for a particular fiscal period shall be applicable to all assessable

lettuce from the beginning of such period, and (2) the current fiscal period began on August 1, 1970, and the rate of assessment herein fixed will apply to all assessable lettuce beginning with such date.

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

Dated: October 26, 1970.

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

[F.R. Doc. 70-14562; Filed, Oct. 28, 1970;
8:49 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

Permitted Disinfectants

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), § 76.33 of Part 76, Title 9, Code of Federal Regulations, is hereby amended to read as follows:

§ 76.33 Disinfectants to be used.

The following substances are approved for use in disinfecting vehicles, facilities, and premises as required under the regulations in this part:

(a) A permitted brand of sodium orthophenylphenate used in a proportion of at least 1 pound to 12 gallons of water. (It is absolutely necessary that the solution be applied at a temperature of 60° F. or over. Whenever the temperature of any article to be disinfected is below 60° F., as indicated by a thermometer, the solution shall be heated to 120° F., and higher in very cold weather, to insure effective disinfection.)

(b) Permitted cresylic disinfectant in the proportion of at least 4 fluid ounces to 1 gallon of water, as prescribed under §§ 71.10(b) and 71.11 of this chapter.

(c) Proprietary disinfectants which are currently registered under the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 135b(c)), and which have been shown to be virucidal against

the virus of hog cholera as determined by the Director of Division¹ may be used at the dilution and otherwise in accordance with specifications for use as shown on the label of such disinfectants.

(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 amendment shall become effective upon issuance.

The foregoing amendment deletes the permission for the use of sodium hydroxide and permits the use of additional suitable disinfectants that are not now permitted to be used under the regulations in 9 CFR Part 76. Sodium hydroxide is deleted from the list of permitted disinfectants for use under this part because of its caustic nature and the danger to persons and animals associated with its use. Due to the extensive use of cresylic disinfectant in Viet Nam, a critical shortage in the supply of this disinfectant has developed. Therefore, it is necessary to provide for the use of other effective disinfectants. The amendment also makes minor clarifying changes in the provisions of § 76.33.

The amendment should be made effective promptly in order to be of most benefit to persons affected by the Emergency Hog Cholera Eradication Program now being carried out in North Carolina and Virginia, insofar as the amendment authorizes the use of additional disinfectants. Insofar as the amendment deletes the authority for the use of sodium hydroxide, it should be made effective without delay in order to avoid injury to persons engaged in disinfection activities under the regulations. The clarifying changes in § 76.33 should be made effective promptly in order to effectuate the intent of the regulations. 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 amendment are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of October 1970.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-14561; Filed, Oct. 28, 1970;
8:49 a.m.]

¹ Information as to the name of such disinfectants may be obtained from the Division or a Division Inspector.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 70-EA-63]

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

Designation of Transition Area

On page 13738 of the FEDERAL REGISTER for August 28, 1970, the Federal Aviation Administration published proposed regulations which would designate a Midland, Va., transition area.

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., December 10, 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 October 6, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Midland, Va., transition area described as follows:

MIDLAND, VA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 38°35'15" N., 77°42'45" W. of Warrenton-Fauquier Airport, Midland, Va., and within 2 miles each side of the Casanova, Va. VORTAC 113° radial extending from the 5-mile radius area to the VORTAC.

[F.R. Doc. 70-14541; Filed, Oct. 28, 1970; 8:47 a.m.]

[Docket No. 10655; Amdt. No. 727]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (358 F.R. 5610).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Ave-

nue SW., Washington, D.C. 20590. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C., 20590, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$125 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D. C. 20402.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.11 is amended by establishing, revising, or canceling the following L/MF-ADF(NDB)-VOR SIAPs, effective November 26, 1970.

Fishers Island, N.Y.—Elizabeth Field; ADF 1, Original; Canceled.
Groton, Conn.—Trumbull Airport; NDB (ADF)-1, Runway 5, Amdt. 2; Canceled.
Groton, Conn.—Trumbull Airport; NDB (ADF)-2, Runway 5, Amdt. 2; Canceled.

2. Section 97.23 is amended by establishing, revising, or canceling the following VOR-VOR/DME SIAPs, effective November 26, 1970.

Memphis, Tenn.—Memphis International Airport; VOR Runway 35, Amdt. 23; Revised.
Price, Utah.—Carbon County Airport; VOR Runway 36, Amdt. 1; Revised.
Redding, Calif.—Redding Municipal Airport; VOR Runway 34, Amdt. 2; Revised.
Schenectady, N.Y.—Schenectady County Airport; VOR Runway 22, Amdt. 3; Revised.
Somerville, N.J.—Somerset Airport; VOR Runway 8, Amdt. 7; Revised.
Slidell, La.—Slidell Airport; VOR/DME-A, Original; Established.
Wallace, N.C.—Henderson Field; VOR/DME-A, Amdt. 1; Revised.

3. Section 97.25 is amended by establishing, revising, or canceling the following LOC-LDA SIAPs, effective November 26, 1970.

Memphis, Tenn.—Memphis International Airport; LOC (BC) Runway 17, Amdt. 2; Revised.
Memphis, Tenn.—Memphis International Airport; LOC (BC) Runway 27, Amdt. 13; Revised.

4. Section 97.27 is amended by establishing, revising, or canceling the following NDB/ADF SIAPs, effective November 26, 1970.

Deadhorse, Alaska.—Deadhorse Airport; NDB Runway 4, Amdt. 1; Revised.
Deadhorse, Alaska.—Deadhorse Airport; NDB Runway 23, Amdt. 1; Revised.
Farmville, Va.—Farmville Municipal Airport; NDB Runway 3, Original; Established.

Memphis, Tenn.—Memphis International Airport; NDB Runway 9, Amdt. 16; Revised.
Memphis, Tenn.—Memphis International Airport; NDB Runway 35, Amdt. 9; Revised.

Schenectady, N.Y.—Schenectady County Airport; NDB Runway 22, Amdt. 7; Revised.
Troy, Ala.—Troy Municipal Airport; NDB Runway 7, Amdt. 1; Revised.

5. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAPs effective November 26, 1970.

Atlanta, Ga.—Atlanta Airport; ILS Runway 9L, Amdt. 36; Revised.
Huntsville, Ala.—Huntsville Madison County Jetport—Carl T. Jones Field; ILS Runway 18R, Amdt. 6; Revised.
Memphis, Tenn.—Memphis International Airport; ILS Runway 9, Amdt. 13; Revised.
Memphis, Tenn.—Memphis International Airport; ILS Runway 35, Amdt. 11; Revised.
Troy, Ala.—Troy Municipal Airport; ILS Runway 7, Amdt. 1; Revised.

6. Section 97.31 is amended by establishing, revising, or canceling the following Radar SIAPs, effective November 26, 1970.

Memphis, Tenn.—Memphis International Airport; Radar-1, Amdt. 18; Revised.

7. Section 97.33 is amended by establishing, revising, or canceling the following RNAV SIAPs, effective November 26, 1970.

Carlsbad, Calif.—Palomar Airport; RNAV Runway 6, Original; Established.
Hawthorne, Calif.—Hawthorne Municipal Airport; RNAV Runway 25, Original; Established.
Massena, N.Y.—Richards Field; RNAV Runway 5, Original; Established.
Massena, N.Y.—Richards Field; RNAV Runway 23, Original; Established.
Santa Barbara, Calif.—Santa Barbara Municipal Airport; RNAV-A, Original; Established.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on October 21, 1970.

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

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969 (35 F.R. 5610).

[F.R. Doc. 70-14462; Filed, Oct. 28, 1970; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1806]

PART 13—PROHIBITED TRADE PRACTICES

A.B.C. Fabrics, Inc., et al.

Subpart—Misbranding or mislabeling:
§ 13.1185 Composition: 13.1185-80
Textile Fiber Products Identification

Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-80 Textile Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, A.B.C. Fabrics, Inc., et al., Tampa, Fla., Docket C-1806, Sept. 30, 1970]

In the Matter of A.B.C. Fabrics, Inc., a Corporation, Trading as Mae Fabrics, and Irving Cohen, Individually and as an Officer of Said Corporation

Consent order requiring Tampa, Fla., wholesalers and retailers of textile fiber products to cease and desist from misbranding their products and failing to keep required records.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents A.B.C. Fabrics, Inc., a corporation trading as Mae Fabrics or under any other name or names, and its officers and Irving Cohen, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding such textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

2. Failing to affix a stamp, tag, label, or other means of identification to each such textile fiber product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

3. Failing to affix labels to samples, swatches or specimens of textile fiber products used to promote or effect the sale of such textile fiber products showing in words and figures plainly legible all the information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Failing to maintain and preserve, as required by section 6(b) of the Textile Fiber Products Identification Act, such records of the fiber content of textile fiber products as will show the information set forth on the stamps, tags, labels, or other identification removed by respondents, together with the name or names of the person or persons from whom such textile fiber products were received, when substituting stamps, tags, labels or other identification pursuant to section 5(b) of the Textile Fiber Products Identification Act.

It is further ordered, That respondents notify the Commission at least 30 days prior to any change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: September 30, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 70-14518; Filed, Oct. 28, 1970; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Releases Nos. 33-5092, 34-8995, and IC-6209]

PART 231—INTERPRETATIVE RELEASES RELATING TO THE SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

PART 241—INTERPRETATIVE RELEASES RELATING TO THE SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULATIONS THEREUNDER

PART 271—INTERPRETATIVE RELEASES RELATING TO THE INVESTMENT COMPANY ACT OF 1940 AND GENERAL RULES AND REGULATIONS THEREUNDER

Timely Disclosure of Material Corporate Developments

The Securities and Exchange Commission today reiterated the need for

publicly held companies to make prompt and accurate disclosure of information, both favorable and unfavorable, to security holders and the investing public. Companies subject to the reporting requirements of the Securities Exchange Act of 1934 are, at the present time, generally required to file annual reports within 120 days after the end of their fiscal years, semiannual reports within 45 days after the end of the 6-month period and current reports within 10 days after the end of the month in which a reportable event has occurred. Somewhat similar requirements are imposed by the Investment Company Act of 1940 on companies registered under that Act. In this regard, the Commission has noted that certain reporting companies from time to time have been delinquent in filing periodic reports under the Securities Exchange Act and the Investment Company Act. The Commission emphasized its concern about such delinquent filings, and hereby reminds reporting companies of their obligations to file reports on a timely basis as required by the Commission's rules.

Notwithstanding the fact that a company complies with such reporting requirements, it still has an obligation to make full and prompt announcements of material facts regarding the company's financial condition. The responsibility for making such announcement rests, and properly so, with the management of the company. They are intimately aware of the factors affecting the operations of the business. Management of noninvestment companies are cognizant of factors affecting profits and losses, such as curtailment of operations, decline of orders, or cost overruns on major contracts. They are also cognizant of liquidity problems such as a decreased inflow of collections from sales to customers, the availability or lack of availability of credit from suppliers, banks, and other financial institutions, and the inability to meet maturing obligations when they fall due. Management of registered investment companies are similarly aware of factors affecting the operations of the businesses of such companies such as changes in important personnel of the company or its investment adviser, insolvency of such an adviser or the investment company's principal underwriter, or inability of an investment adviser to meet an expense guarantee or make a performance fee refund to the company.

Not only must material facts affecting the company's operations be reported; they must also be reported promptly. Corporate releases which disclose personnel changes, the receipt of new contracts, orders and other favorable developments but do not even suggest existing adverse corporate development, do not serve the public needs, and may violate the anti-fraud provisions of the Securities Exchange Act of 1934, and in the case of a registered investment company

or other issuer making a continuous offering of its shares may also violate the Securities Act of 1933 if the prospectus is not appropriately updated.

The policy of prompt corporate disclosure of material business events is embodied in the rules and directives of the major exchanges. It should be noted that unless adequate and accurate information is available, a company may not be able to purchase its own securities or make acquisitions using its securities, and its insiders may not be able to trade its securities without running a serious risk of violation section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 (17 CFR 240.10b-5) thereunder.

Corporate managements are urged to review their policies with respect to corporate disclosure and endeavor to set up procedures which will insure that prompt disclosure be made of material corporate developments, both favorable and unfavorable, so that investor confidence can be maintained in an orderly and effective securities market.

By the Commission, October 15, 1970.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 70-14524; Filed, Oct. 28, 1970;
8:46 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department PART 151—SERVICE IN POST OFFICES Post Office Box Rental Fees

In the daily issue of Thursday, September 3, 1970 (35 F.R. 14003), the Department published a notice of proposed rule making proposing an increase in post office box rental fees. It was proposed to increase the box rental fees approximately 20 percent. These fees have not been changed since 1958.

Interested persons were given 30 days within which to submit comments on the proposals. After consideration of all comments received, the Department has determined to adopt the proposed increase without change, except as to the effective date.

Accordingly, the following amendments to the Department's regulations are hereby made, to be effective December 1, 1970.

In § 151.3 *Post Office boxes*, make the following changes under paragraph (c), *Rental rates*:

1. In subparagraph (1) amend subdivision (ii) to read as follows:

(ii) *Schedule*. The quarterly box rent schedule for main post offices is as follows:

Post office groups	Rate per quarter						
	Call boxes		Lock boxes and drawers				
	Size No.		Size No.				
	1	2	1	2	3	4	5
	Cubic-inch capacity		Cubic-inch capacity				
	To 225	225 to 500	To 265	265 to 500	500 to 1000	1000 to 2000	2000 and over
Offices with city carrier service:							
Group A.....	\$2.70	\$3.60	\$5.40	\$7.20	\$9.00	\$12.00	\$14.40
Group B.....	1.80	2.70	3.60	5.40	7.20	9.00	10.80
Group C.....	1.35	1.80	2.70	3.60	5.40	7.20	9.00
Group D.....	1.00	1.35	2.05	2.70	3.60	5.40	7.20
Group E.....	.80	1.00	1.45	1.80	2.70	3.60	5.40
Offices without city carrier service:							
Group F.....	.60	.80	1.10	1.35	1.80	2.70	3.60
Group G.....	.45	.60	.85	1.10	1.35	1.80	2.70
Group H.....	.25	.45	.60	.80	1.10	1.35	1.80
Group I.....	.20	.25	.45	.60	.80	1.10	1.35

2. In subparagraph (2) amend the tabular data under subdivision (iii) to read as follows:

	Call boxes		Lock boxes				
	No. 1	No. 2	No. 1	No. 2	No. 3	No. 4	No. 5
Per semester.....	\$0.40	\$0.50	\$0.60	\$0.75	\$1.10	\$1.80	\$2.90
Per quarter.....	.25	.40	.45	.50	.75	1.20	1.95

NOTE: The corresponding Postal Manual sections are 151.331b and 151.332c(2).

(5 U.S.C. 301, 39 U.S.C. 501, 708)

DAVID A. NELSON,
General Counsel.

[F.R. Doc. 70-14568; Filed, Oct. 28, 1970; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter V—National Highway Safety Bureau, Department of Transportation [Docket 70-2; Notice 2]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires—Passenger Cars

A proposal to amend Federal Motor Vehicle Safety Standard 109, New Pneumatic Tires—Passenger Cars, 49 CFR Part 571, was published on April 22, 1970 (35 F.R. 6440). The purpose of the proposed rule was to prevent the sale of tires that failed to pass the passenger car tire standard Motor Vehicle Safety (Standard No. 109) but were nevertheless being sold for passenger car use. As indicated in the notice of the proposed rule, Bureau investigations disclose that this has been a widespread practice. The use of such tires on passenger cars is considered a safety hazard.

In spite of the notice and press releases on the subject, the Bureau has found that unscrupulous distributors and dealers are continuing to buff off restrictive labeling on the tires and are selling them to unsuspecting members of the public. This amendment is therefore necessary to control the relatively large number of tires being reclassified and to provide a better means of enforcing the regulation against persons who are selling these tires for passenger car use.

The amendment changes the passenger car tire standard to require tires that are not certified by the manufacturer as complying with the passenger car tire standard to be branded with the phrase "Unsafe for Highway Use" and to have a label attached indicating that sale of the tire for passenger car use subjects the person selling the tire to a \$1,000 civil penalty. The amendment also requires tire manufacturers to report to the Bureau periodically on the number of these tires sold and the names of distributors or dealers to whom they are sold.

Interested persons have been offered an opportunity to participate in the making of this amendment. It was almost unanimously agreed that there should be some restrictions placed on tires that had not been certified as complying with Standard No. 109. Several comments to the notice objected, however, to the requirement that the phrase "Unsafe for Normal Highway Use" be on the tire, on the ground that the word "Normal" was ambiguous. This designation has been found to have merit, and the word "Normal" has been omitted from the required phrase.

The requirement that the phrase be superimposed upon the manufacturer's name, or brand name, with lettering three-quarters of an inch high was objected to because the phrase would not be legible and could be easily removed. To avoid these problems, the requirement has been changed to provide that the phrase "Unsafe for Highway Use" be placed between the maximum section width and the tread and the height of the lettering reduced to one-half inch.

The proposal that the lettering of the term signifying the tire was unsafe for highway use be one-sixteenth of an inch deep was objected to because some tire casings have less than one-sixteenth of an inch of rubber on the outside of the sidewall and the alternative of one-half the thickness of the rubber covering the outside ply was not meaningful because the thickness could not always be determined. However, it is essential that the lettering be deep enough so that any attempt to buff it off will be easily recognizable and, therefore, the requirement that the lettering be one-sixteenth of an inch deep is being maintained. The change from the proposal to allow the lettering to be located anywhere between the maximum section width and the tread will allow the manufacturer to select a location where the rubber thickness is sufficient to impress lettering one-sixteenth of an inch.

Some comments suggested that the words "tube" or "tubeless" be required on the tire, even though the tire would not be used for passenger cars. This suggestion has been adopted in the final rule.

The requirement that the maximum inflation pressure and the maximum load rating be on the tire was omitted because they pertain to tires manufactured for passenger car use, not tires for off-road usage.

Some comments objected to the requirement that manufacturers report the quantity and serial numbers of reclassified tires sold and the names of distributors and dealers who purchase them. It was argued that keeping track of serial numbers, and distributors or dealers the tires were sold to would be burdensome and serve no safety related purpose. The Bureau feels that reporting of reclassified tires that are unsafe for highway use will provide the necessary control over these reclassified tires to assure that the tires will not be sold for passenger car use. Therefore, the reporting requirements have been maintained.

In consideration of the foregoing, Title 49—Transportation, Chapter V—National Highway Safety Bureau, Department

of Transportation, Subchapter A—Motor Vehicle Safety Regulations, Part 571—Federal Motor Vehicle Safety Standard No. 109, New Pneumatic Tires—Passenger Cars is amended as set forth below:

(1) S1 is amended to read as follows:
S1. *Purpose and scope.* This standard specifies tire dimensions and laboratory test requirements for bead unseating resistance, strength, endurance and high speed performance; defines tire load ratings; specifies labeling requirements; and sets forth the limited conditions under which passenger car tires that are not certified as complying with this standard may be sold.

(2) In S3, the following definition is inserted: "Reclassified tire" means a tire designed for passenger car use that is not certified as complying with the requirements of this standard.

(3) The introductory clause of S4.2.1 is amended to read as follows:
S4.2.1 *General.* Except as provided in S6, each tire shall conform to each of the following:

(4) A new section S6 is added to read as follows:

S6. *Requirements for reclassified tires.* Reclassified tires may be sold by the manufacturer under the following conditions only:

S6.1 *Labeling.* Each reclassified tire shall be conspicuously labeled on both sidewalls with the information described in subparagraphs (a) through (d) of this paragraph, which shall be permanently molded into or onto the tires. All other labeling required by Standard 109 shall be removed.

- (a) Size designation.
- (b) Name of manufacturer or brand name and approved code mark.
- (c) A serial number that enables the manufacturer or brand name owner to identify the week and year of production.
- (d) The words "tubeless" or "tube type", as applicable.

S6.1.1 Each reclassified tire shall have the words "Unsafe for Highway Use" impressed on both sidewalls in letters not less than one-half of an inch high between the maximum section width and tread. The depth and the stroke of the letters shall be not less than one-sixteenth of an inch.

S6.1.2 Each reclassified tire shall have two labels affixed to the tread surface, approximately 180° apart, in a manner so that they are not easily removable, and containing the following

information in the English language in lettering not less than three thirty-seconds of an inch high:

- (a) Name of manufacturer;
- (b) The word "Manufactured," followed by the week of the year and the year, expressed numerically, as "25-70."
- (c) The following statement:

This Tire Does Not Conform to the Requirements of the Federal Motor Vehicle Safety Standard for Passenger Car Tires and Should Not Be Used for Passenger Cars. Anyone Who Sells This Tire for Use on a Passenger Car, or Who Removes This Label Before Sale to the User, or Who Removes or Alters the Legend "Unsafe for Highway Use" Imprinted on This Tire Is Subject to a Civil Penalty of up to \$1,000.

S6.2 *Reporting.* On July 31, 1971, each manufacturer reclassifying passenger car tires shall submit to: Reclassified Tires, National Highway Safety Bureau, 400 Seventh Street SW., Washington, D.C. 20591, a report containing the information specified below for the period covering December 1, 1970, through July 31, 1971. Thereafter, each manufacturer reclassifying passenger car tires shall submit a report containing the information specified below on July 31 of each year for the period covering the preceding January 31 to June 30 and on January 31 of each year for the period covering the preceding July 1 to December 31.

(a) The number of tires reclassified that are not certified as meeting this standard and that are reclassified and branded "Unsafe for Highway Use."

(b) A list of the serial numbers of the tires reclassified and the distributors or dealers to whom these tires were sold.

Effective date: December 1, 1970.

Since this amendment is designed to prevent a practice which can endanger the lives and property of the general public and because no comments were received objecting to the proposed effective date of December 1, 1970, in the notice of proposed rulemaking, good cause is shown that an effective date earlier than 180 days after issuance is in the public interest.

(Secs. 103, 112, 119, and 201, National Traffic and Motor Vehicle Safety Act of 1966, (15 U.S.C. 1392, 1407, and 1421; delegation of authority contained in § 1.51 of Part 1 of regulations of Office of the Secretary, (35 F.R. 4955))

Issued on October 22, 1970.

DOUGLAS W. TOMS,
Director.

[F.R. Doc. 70-14536; Filed, Oct. 28, 1970; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

DEPRECIATION OF EXPENDITURES TO REHABILITATE LOW-INCOME HOUSING

Notice of Hearing on Proposed Regulations

Proposed regulations under section 167(k) of the Internal Revenue Code of 1954, relating to depreciation of expenditures to rehabilitate low-income housing, appear in the FEDERAL REGISTER for August 4, 1970.

A public hearing on the provisions of these proposed regulations will be held on Monday, November 23, 1970, at 2 p.m., e.s.t., in Room 3313, Internal Revenue Service Building, 12th and Constitution Avenue NW., Washington, D.C.

The rules of § 601.601(a)(3) of the Statement of Procedural Rules (26 CFR Part 601) shall apply with respect to such public hearing. Copies of these rules will be furnished on request. Under such § 601.601(a)(3) persons who desire to present oral comments (in addition to having submitted written comments or suggestions within the time prescribed in the notice of proposed rule making) should by November 10, 1970, submit an outline of the topics and the time they wish to devote to each topic. Such outlines shall be submitted to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224.

Persons who plan to attend the hearing and persons who desire a copy of such written comments or suggestions or outlines should notify the Commissioner at the above address or telephone (Washington, D.C.) 202-964-3935 by November 16, 1970.

JAMES F. DRING,
Director, Legislation and
Regulations Division.

[P.R. Doc. 70-14637; Filed, Oct. 28, 1970;
9:39 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 929]

CRANBERRIES GROWN IN CERTAIN STATES

Notice of Proposed Ending Date for Compliance With the Requirements for Withholding Cranberries

Notice is hereby given that the Department is considering a proposed amend-

ment, as hereinafter set forth, of § 929.301 *Free and Restricted Percentages for the 1970-71 Fiscal Period* (35 F.R. 15090), hereinafter designated as a part of Subpart—Handler Regulations, currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The amendment of said rules and regulations was proposed by the Cranberry Marketing Committee, established under said amended marketing agreement and order, as the agency to administer the terms and provisions thereof. The amendment would establish January 1, 1971, as the date by which each handler shall have complied with his withholding requirement. Such ending date would provide ample opportunity for each handler to meet his withholding obligations before the completion of the marketing season. Accordingly, said § 929.301, together with § 929.302, is hereby designated as Subpart-Handler Regulations, the current text in § 929.301 (35 F.R. 15090) is designated as paragraph (a) thereof, and a new paragraph (b) is added reading as follows:

§ 929.301 Free and restricted percentages for the 1970-71 fiscal period.

(a) * * *

(b) Each handler shall meet his withholding requirement, as provided in § 929.54, not later than January 1, 1971.

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

Dated: October 23, 1970.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Consumer and Mar-
keting Service.

[P.R. Doc. 70-14538; Filed, Oct. 28, 1970;
8:47 a.m.]

[7 CFR Part 967]

CELERY GROWN IN FLORIDA

Notice of Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of proposed expenses and a proposed rate of assessment, as hereinafter set forth, which were recommended by the Florida Celery Committee.

This committee was established pursuant to Marketing Agreement No. 149 and Marketing Order No. 967, both as amended (7 CFR 967), herein referred to collectively as the "order." The order regulates the handling of celery grown in Florida, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

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

The proposals are as follows:

§ 967.206 Expenses and rate of assessment.

(a) The expenses that are reasonable and likely to be incurred during the fiscal year ending July 31, 1971, by the Florida Celery Committee for its maintenance and functioning and for such purposes as the Secretary may determine to be appropriate, will amount to \$39,500.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be one half of one cent (\$0.005) per crate of celery handled by him as the first handler thereof during said fiscal year.

(c) As provided in § 967.62, unexpended income in excess of expenses for the fiscal year ending July 31, 1971, may be carried over as an operating reserve.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

Dated: October 26, 1970.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Consumer
and Marketing Service.

[P.R. Doc. 70-14563; Filed, Oct. 28, 1970;
8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 125]

[Docket No. FDC-78]

FOOD FOR SPECIAL DIETARY USES; LABEL STATEMENTS RELATING TO INFANT FOOD

Proposed Findings of Fact, Proposed Conclusion, and Tentative Order Following a Public Hearing

In the matter of revising regulations
for food for special dietary uses:

HISTORY

On the initiative of the Commissioner of Food and Drugs, a notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of June 20, 1962 (27 F.R. 5815), and numerous comments were received in response thereto. Subsequently, orders were published June 18, 1966 (31 F.R. 8521 et seq.), to become effective December 15, 1966, deleting § 1.11 (21 CFR 1.11), exempting from labeling requirements certain artificially sweetened foods (21 CFR 5.5), establishing definitions and standards of identity for dietary supplements of vitamins and minerals and for vitamin and mineral-fortified foods (21 CFR Part 80), and revising the regulations for the labeling of food for special dietary uses (21 CFR Part 125).

During the 30-day period provided by said orders, objections and requests for a public hearing were filed. Consequently, an order was published December 14, 1966 (31 F.R. 15730), staying the effective date of § 5.5, Part 80, and Part 125, as published June 18, 1966, and staying the effective date of the deletion of § 1.11. The order of December 14, 1966, gave notice that a public hearing would be held on the basis of the objections received and set forth the issues to be decided at the hearing. Since the order also contained amendments to the provisions of Parts 80 and 125 published June 18, 1966, an additional period of 30 days was provided for the filing of objections by persons adversely affected. Numerous letters objecting to the amendments and requesting a public hearing were received; however, no substantive issues not already stated in the order of December 14, 1966, were raised by these objections.

A correction of a printer's error in the order of December 14, 1966, was published December 21, 1966 (31 F.R. 16312).

Also published December 14, 1966 (31 F.R. 15746), was a notice proposing that § 80.2, the definition and standard of identity for vitamin- and mineral-fortified foods (which was established by the order of June 18, 1966, and amended and stayed by the order of December 14, 1966), be amended by adding to the table in paragraph (c) the following classes of food: Frozen dessert products (con-

taining vegetable fat in lieu of butter fat) made in semblance of ice cream or ice milk; milk fortifiers; and meal substitutes.

The comments received in response to the proposal of December 14, 1966, were considered and an order was subsequently published April 8, 1967 (32 F.R. 5736), amending § 80.2 to add the additional classes of food. In response to that order, several objections and requests for a public hearing were received; however, no substantive issues were raised that were not already set forth in the order of December 14, 1966.

A notice was published April 2, 1968 (33 F.R. 5268), scheduling a hearing to begin May 21, 1968, and a prehearing conference to begin May 7, 1968. The notice also designated Mr. David H. Harris as the Hearing Examiner for these proceedings, and notice that he was appointed a hearing examiner was published May 4, 1968 (33 F.R. 6828).

The hearing was convened as scheduled May 21, 1968, and recessed the same day to permit continuation of prehearing conferences. Notice was given June 13, 1968 (33 F.R. 8679), that the hearing was being reconvened June 20, 1968.

LIMITED SCOPE OF THIS ACTION

This document pertains only to that portion of this matter concerning labeling foods for special dietary use for infants. This promulgatory separation is being made to avoid delays that may be encountered in acting on the balance of this matter.

In the proposal of June 20, 1962, § 125.5 dealt with label statements relating to infant food. When the proposal was adopted June 18, 1966, changes had been incorporated and the section regarding infant food appeared as § 125.4. In Part 80 issued that same date, table 2 of § 80.2(c) prescribed minimum levels for seven vitamins and four minerals to be required in infant formulas.

Among other responses to said orders, specific objections were made to § 125.4 and table 2 of § 80.2(c), and these regulations were stayed with the rest by the order published December 14, 1966. The latter document not only stayed the regulations adopted June 18, 1966, but also revised them. Among other changes, table 2 of § 80.2(c) was dropped and the provisions thereof, with modifications, were set forth in § 125.4.

The document of December 14, 1966, listed the issues for the contemplated hearing, including No. III-D as follows: "With respect to § 125.4 *Label statements relating to infant food*, whether it is necessary and reasonable, in order fully to inform purchasers of the value of foods for special dietary use for infants, to require that the label of such foods bear the statements set forth in that section, as amended by this order."

The public hearing in the overall matter was closed May 14, 1970; however, the taking of evidence with reference to infant foods was closed October 14, 1969. Pursuant to 21 CFR 2.96, and limited to the infant food portion of these proceedings, the Hearing Examiner has sub-

mitted his report and certified the record together with his report to the Commissioner of Food and Drugs. The Hearing Examiner's Report, dated August 26, 1970, is part of the public record (Docket No. FDC-78) on file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852.

Having considered the evidence pertaining to infant foods received at the hearing and the Hearing Examiner's Report of August 26, 1970, the Commissioner, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 403(j), 701(e), 52 Stat. 1046, as amended, 1048, 1055, as amended; 21 U.S.C. 341, 343(j), 371(e)) and under authority delegated to him (21 CFR 2.120), proposes the following findings of fact, conclusions, and final order:

PROPOSED FINDINGS OF FACT¹

1. An infant is generally considered in pediatric practice to be a human being 12 months of age or less. (Tr. 12569 (Lowe), 23136 (Harrison).)

2. A number of unique physical and physiological characteristics about the infant affect his feeding requirements. Among these are the absence of teeth up to 6 months of age, the relatively small size of mouth and stomach, and a not fully developed intestinal tract. (Tr. 12569-71 (Lowe).)

3. Infant foods currently marketed in the United States are generally prepared in a manner that reflects the special dietary needs of infants. These foods, some of which are referred to as "baby foods," are designed for infants as a group. (Tr. 12571-72, 12601-02, 12628 (Lowe); 23322-23, 23326 (Harrison); P. 342, 405, 481, 484, 512, 513.)

4. Foods for special dietary use for infants are marketed both with and without added vitamins and minerals. (Tr. 12572 (Lowe); P. 342, 405, 481, 484, 512, 513.)

5. Special feeding problems are of common occurrence in pediatric practice. Because infants exhibit idiosyncrasies to food more frequently than do older children or adults, it is important that what is in a prepared food for infants, such as "baby foods" and infant formulas, be shown so that the mother and/or the physician can identify offending substances and remove them from the diet. A label that fails to identify all ingredients of such prepared food for infants would handicap the physician in attempting to identify an offending substance. (Tr. 12570, 12578-79 (Lowe); P. 154-B, page 922.)

6. Since it makes no difference in terms of infant nutrition whether the vitamin or mineral in an infant food is derived from natural or synthetic sources, the label need not state the names of the specific ingredients that are the sources

¹The abbreviations in the citations are: "Tr." for transcript pages of the hearing; "P." for exhibits introduced by the Government, the proponent; and "O." for exhibits introduced by opponents.

of the vitamin or mineral nutrients supplied by such food. (Tr. 23140-41, 23249-50, 23277-78 (Harrison); WD-G-Harrison, 37 Q and A.)

7. Identifying on the label by their common or usual names all ingredients, including spices, flavorings, and colorings, in a food for infants is important because of their potential as offending substances in the diet of the infant. (Tr. 12577-79 (Lowe); P. 154-B, page 922.)

8. The label of a food for infants, other than dietary supplements, should indicate the specific plant or animal source of each ingredient by its common or usual name to permit the physician and the purchaser to identify an offending substance. (Tr. 12579-81 (Lowe); P. 154-B, page 922.)

9. Human breast milk is essentially a complete food for the infant if the infant additionally receives vitamin D and iron. (Tr. 1076, 1102, 1149 (Filer); 3241, 3263 (Gyorgy).)

10. Prepared infant formulas, evaporated milk, and whole milk (of cows) are used as foods for infants because of their simulation of human milk or their suitability as complete or partial substitutes for human milk. (Tr. 1065-66 (Filer); 3236 (Gyorgy); 12637 (Lowe).)

11. In recent years, use of prepared infant formulas as a complete or partial substitute for human milk has increased markedly, and use of evaporated milk for such purpose has decreased. (Tr. 1064, 1067 (Filer); 3261 (Gyorgy); 12635-36 (Lowe).)

12. Prepared infant formulas are available in powdered, concentrated liquid, and ready-to-use forms. (Tr. 1065 (Filer); 3239 (Gyorgy).)

13. To deal effectively with the problems that may present themselves in infant feeding, especially in the first few months of life, the physician and purchaser need to know the nutritional composition of a food intended as a complete or partial substitute for human milk. (Tr. 1070 (Filer).)

14. For a food intended as a complete or partial substitute for human milk, a statement on the label of the amount of moisture, protein, fat, available carbohydrate, crude fiber, and ash present therein is necessary for fully informing purchasers. In the case of a powdered product, a statement of this information in terms of percent by weight is reasonable. In the case of a liquid product, a statement in terms of percent per unit volume is reasonable. (Tr. 1069-70, 1576 (Filer); 3236-38 (Gyorgy).)

15. The scientific unit base used by qualified pediatricians for computing infant feeding requirements is kilocalories per kilogram of body weight. The term "calories" is commonly used as equivalent to the scientific term "kilocalories." (Tr. 1071, 1083, 1089, 1166 (Filer); 3238-39 (Gyorgy).)

16. For fully informing the physician and the purchaser, the label of a food intended as a substitute for human milk in infant feeding must state the number of available calories supplied by a specified quantity of the food as customarily

or usually prepared for consumption. (Tr. 1072-75 (Filer); 3240-41 (Gyorgy).)

17. For evaluating the adequacy of a food intended as a substitute for human milk in infant feeding, the physician and the purchaser must know the kinds and amounts of certain essential vitamins and minerals present therein. It is important that the amounts of such vitamins and minerals actually offered to the infant by the food be shown. This includes the amount originally present in the food plus any added. The amounts of the following essential vitamins and minerals should be stated on the label of a food offered as a complete or partial substitute for human milk in terms of the amount supplied by a specified quantity of the food as customarily or usually prepared for consumption: Vitamin A, vitamin D, vitamin E, ascorbic acid, thiamin (vitamin B₁), riboflavin (vitamin B₂), niacin, vitamin B₆, folic acid, pantothenic acid, vitamin B₁₂, calcium, phosphorus, magnesium, iron, iodine, and copper. If a vitamin or mineral other than the aforementioned is added to the food, the label should similarly state the amount of such vitamin or mineral supplied by the food. (Tr. 1077-80, 1577 (Filer); 3242 (Gyorgy); 12564, 12566-68 (Lowe).)

18. The generic term "niacin" includes niacin (nicotinic acid), niacinamide (nicotinamide), and 1 milligram equivalent for each 60 milligrams of tryptophan. (Tr. 1093 (Filer); 3256 (Gyorgy); P. 651, pages 37-38, foldout table, footnote (d).)

19. Human milk contains 1.8 grams of protein per 100 available kilocalories. The protein content of human milk is adequate to sustain growth up to 6 months of age. (Tr. 1081-82 (Filer); 3246 (Gyorgy); P. 154-A, page 917.)

20. Protein deficiency in the infant may result in hypoalbuminemia, a reduction in weight gain, paling of the skin, ulceration, decolorization of the hair, enlargement of the liver, and a succumbing to infection. (Tr. 1086-87 (Filer); 3245-46 (Gyorgy).)

21. The quality of protein varies with food source and may be affected by the processing method. A level of 1.8 grams of protein per 100 available kilocalories in a food that is the sole source of protein for an infant is adequate if its quality is comparable to that of human milk protein. (P. 154A, page 918.)

22. The most commonly used test to determine the biological quality of different types of protein is the Protein Efficiency Ratio (PER) test. The PER is determined by a rat assay using casein as a reference. This assay is in wide use in Government and industry laboratories and has been adopted by the Association of Official Analytical Chemists (formerly the Association of Official Agricultural Chemists). (Tr. 1083 (Filer); 3247-48 (Gyorgy).)

23. Protein of a quality (PER) less than 70 percent of that of casein is not suitable in a food for infants intended as a complete or partial substitute for human milk. A quantity of 1.8 grams per

100 available kilocalories of a protein equivalent in quality (PER) to that of casein is the minimum level in such food for the adequate nutrition of infants. With respect to a protein of a quality (PER) greater than 70 percent but less than 100 percent of that of casein, a quantity greater than 1.8 grams per 100 available kilocalories is required for adequate nutrition of infants. The least amount of such a protein that may be present in 100 kilocalories of the food is computed by dividing 1.8 by the quality of the protein expressed as a fraction of that of casein, so that a figure of at least 1.8 is achieved. (Tr. 1083, 1085-86 (Filer).)

24. If a quantity of a food that is intended as a complete or partial substitute for human milk for infants and that supplies 100 available kilocalories of such food as customarily or usually prepared for consumption: (a) Contains less than 1.8 grams of protein of quality equivalent to that of casein or (b) when the quality of the protein expressed as a fraction of that of casein multiplied by the gram protein per 100 kilocalories is less than 1.8 or (c) when the protein quality is less than 70 percent of that of casein; then its label must bear for fully informing purchasers the statement "This product should not be used as the sole source of protein of the infant diet." (Tr. 1086-87 (Filer); 3248-49, 3251-53 (Gyorgy); P. 154-A, page 917.)

25. Average values of certain essential nutrients in human milk may be considered a rational basis for estimating minimal needs of infants; however, experience has proven that levels of certain nutrients in human milk, notably vitamin D and iron, are even less than those necessary to support normal growth and state of health. (Tr. 1088, 1090 (Filer); 3233-34 (Gyorgy); P. 154, page 916.)

26. Minimum levels for vitamins and minerals in a food for infants intended as a complete or partial substitute for human milk should be set in terms of the amount per 100 available kilocalories of such food as customarily or usually prepared for consumption. (Tr. 1089 (Filer); 3255-56 (Gyorgy); P. 154-A, pages 916-17.)

27. The following are minimum levels per 100 available kilocalories for the vitamins and minerals that should be present in a food for infants, as customarily or usually prepared for consumption, intended as a complete or partial substitute for human milk: Vitamin A, 250 U.S.P. units; vitamin D, 40 U.S.P. units; vitamin E, 0.3 International unit; ascorbic acid (vitamin C), 7.8 milligrams; thiamin (vitamin B₁), 0.025 milligram; riboflavin (vitamin B₂), 0.06 milligram; niacin, 0.8 milligram equivalent; vitamin B₆, 0.035 milligram; folic acid, 4 micrograms; pantothenic acid, 0.3 milligram; vitamin B₁₂, 0.15 microgram; calcium, 50 milligrams; phosphorus, 25 milligrams; magnesium, 6 milligrams; iron, 1 milligram; iodine, 5 micrograms; and copper, 0.06 milligram. When such food as customarily or

usually prepared for consumption supplies less than the minimum level per 100 available kilocalories of any of these essential vitamins and minerals, the label must state for fully informing purchasers that an additional quantity of such vitamin(s) or mineral(s), as the case may be, should be supplied from other sources. (Tr. 1091-1100, 1202 (Filer); 3253-54, 3256-61 (Gyorgy); P. 154-A, pages 916-20, 921; Prehearing Conference Exhibit No. 2.)

28. For an infant food intended as a complete or partial substitute for human milk and not intended for special dietary use by reason of a need for regulating fat intake, it is reasonable to require, when such food contains fat at a level supplying less than 15 percent of the total available kilocalories or contains linoleic acid (present as a glyceride) at a level supplying less than 2 percent of the total available kilocalories, that the label bear a statement that an additional quantity of fat or linoleic acid (linoleate), as the case may be, should be supplied from other sources. (P. 651, pages 12-13.)

29. Because of Federal regulation, State laws, and existing dairy practices, the nutritional compositions of whole milk (of cows) and evaporated milk are remarkably constant. Although variations in composition occur, depending upon the season, geographic location, and breed of cow, the practice of pooling milk into large batches tends to even out these variations. (Tr. 1552-53 (Filer); 12546-59, 13126 (Lowe); P. 155, pages 38-39; P. 684.)

30. It is not necessary for whole milk (of cows) and evaporated milk intended for use for infants as a complete or partial substitute for human milk to bear a label statement of the amount of fat, protein, available carbohydrate, moisture, ash, crude fiber, or available kilocalories supplied by a given quantity of the food. (Tr. 1070-71, 1075, 1570-71 (Filer); 12545-46, 12560 (Lowe).)

31. It is not necessary for whole milk (of cows) and evaporated milk intended for use by infants as a complete or partial substitute for human milk to bear a label statement of the amount of vitamins or minerals present therein. (Tr. 1574 (Filer); 12565-66 (Lowe).)

32. The protein quantity and quality of whole milk (of cows) and evaporated milk are in excess of minimum levels for adequate nutrition of infants. (Tr. 1087 (Filer); 12528 (Lowe).)

33. Whole milk (of cows) and evaporated milk are essentially devoid of iron and of vitamins C and D. (Tr. 1102 (Filer); 3263 (Gyorgy); 12568-69 (Lowe).)

34. Experience over a period of approximately 50 years has indicated that whole milk (of cows) and evaporated milk, without increased vitamin D content, when used as the sole source of nutrition for infants, are adequate with respect to all vitamins and minerals except ascorbic acid, vitamin D, and iron. If whole milk (of cows) or evaporated milk, without increased vitamin D con-

tent, is offered as a complete or partial substitute for human milk in infant feeding, the label must state, for fully informing purchasers, that additional quantities of ascorbic acid, vitamin D, and iron should be supplied from other sources. When the vitamin D content of such whole milk (of cows) is increased to a level of 400 U.S.P. units per quart, or when the vitamin D content of such evaporated milk is increased in accord with the definition and standard of identity for evaporated milk (21 CFR 18.520), the label for such food need not state that additional vitamin D should be supplied from other sources; however, the label must state that additional quantities of ascorbic acid and iron should be supplied from other sources. (Tr. 1338-39, 1528-29, 1575 (Filer); 3261-63, 3310, 3430-32 (Gyorgy); 12544, 12568-69 (Lowe); P. 154-A, page 920; P. 684.)

35. It is not necessary for whole milk (of cows) and evaporated milk intended for use for infants as a complete or partial substitute for human milk to bear a label statement that additional fat or linoleic acid (linoleate) should be supplied from other sources. (P. 651, pages 12-13.)

36. It is not necessary for food intended solely for infants as a complete or partial substitute for human milk to bear a label statement of the amounts of vitamins and minerals present therein in terms of the Recommended Dietary Allowances. (Tr. 1110-11 (Filer); 3270-71 (Gyorgy).)

37. An obvious purpose of infant feeding is to promote weight gain; however, the requirements of regulations dealing with the labeling of foods intended for special dietary use for the purpose of weight gain are not relevant to foods offered solely for infants. (Tr. 1112 (Filer); 3271-72 (Gyorgy).)

PROPOSED CONCLUSION OF LAW

It is reasonable and necessary for purchasers to be informed fully of the value of foods for special dietary use for infants by requiring that the labels of such foods bear the information prescribed by § 125.5 as hereinafter set forth.

TENTATIVE ORDER

Therefore, on the basis of the foregoing findings of fact and conclusion of law drawn therefrom: *It is ordered*, That the stay of effective date of § 125.4, which stay was promulgated December 14, 1966 (31 F.R. 15730), be ended and that the section be redesignated as § 125.5 and modified to read as follows:

§ 125.5 Label statements relating to infant food.

(a) If a food (other than a dietary supplement of vitamins and/or minerals alone) purports to be or is represented for special dietary use for infants, the label shall bear, if such food is fabricated from two or more ingredients, the common or usual name of each ingredient, including spices, flavoring, and coloring.

(b) If such food, or any ingredient thereof, consists in whole or in part of plant or animal matter and the name of such food or ingredient does not clearly reveal the specific plant or animal which is its source, such name shall be so qualified as to reveal clearly the specific plant or animal that is such source.

(c) If such use of the food is by reason of its simulation of human milk or its suitability as a complete or partial substitute for human milk, the label shall also bear:

(1) A statement of the percent by weight or weight per unit volume of moisture, protein, fat, available carbohydrate, ash, and crude fiber contained in such food.

(2) A statement of the number of available kilocalories (in the case of food label statements, a kilocalorie is represented by the word "Calorie") supplied by a specified quantity of such food as customarily or usually prepared for consumption.

(3) A statement of the amount of each vitamin or mineral listed in subparagraph (5) of this paragraph and the amount of other added vitamin(s) and mineral(s) supplied by a specified quantity of such food as customarily or usually prepared for consumption.

(4) The statement "This product should not be used as the sole source of protein in the infant diet" if a quantity which supplies 100 available kilocalories of such food as customarily or usually prepared for consumption contains less than 1.8 grams of protein of a biological quality equivalent to that of casein, or if the amount and biological quality of protein per 100 available kilocalories of such food are such that the quality of protein expressed as a fraction of that of casein multiplied by the amount of protein in grams is less than 1.8, or if the biological quality of protein is less than 70 percent of that of casein.

(i) For the purpose of this subparagraph, the method for determining biological quality of protein shall be the method prescribed on pages 785-86 (secs. 39.133-39.137) under "Biological Evaluation of Protein Quality—Official, Final Action" of "Official Methods of Analysis of the Association of Official Agricultural Chemists," 10th edition (1965).

(ii) For the purpose of this subparagraph, the method for determining the amount of protein is to multiply by 6.25 the total nitrogen content in grams, as determined by the method described on page 16 (sec. 2.044) under "Improved Kjeldahl Methods for Nitrate-Free Samples—Official, Final Action" of "Official Methods of Analysis of the Association of Official Agricultural Chemists," 10th edition (1965).

(5) If a quantity which supplies 100 available kilocalories of such food as customarily or usually prepared for consumption contains less than the following amounts of vitamins and minerals, a statement that an additional quantity of such vitamin(s) or mineral(s), as the case may be, should be supplied from other sources:

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 91, 121, 127]

[Docket No. 10658; Notice No. 70-43]

AIRCRAFT MAINTENANCE AND RELATED RECORDS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Parts 91, 121, and 127 of the Federal Aviation Regulations to revise the maintenance and related recordkeeping requirements for aircraft. Amendments 43-11, 121-51, and 127-12, effective October 16, 1969, transferred the recordkeeping requirements of § 43.9(b) to Parts 121 and 127. As the FAA indicated, the rule-making action in those amendments was primarily a relocation of existing regulations and amendments to Parts 121 and 127 were under study to update the recordkeeping requirements of Parts 121 and 127. These proposed amendments are a result of that study. In addition, it is proposed to amend the maintenance and related recordkeeping provisions of Part 91 to make that Part consistent with Parts 121 and 127.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before January 27, 1971, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

It is proposed to completely revise the current maintenance record requirements of § 91.173. Under this proposal, § 91.173 would set forth the specific records that each owner or operator is required to keep and would identify the details to be included in such records. This revision would make the provisions of Part 91 consistent with those in Parts 121 and 127. In addition, a new § 91.174 would be added to list the specific records that would have to be retained and transferred with the aircraft at the time it was sold. At the present time, the regulations covering the transfer of records applies not only to the sale of an aircraft but to the sale of an aircraft engine, and other products and appliances. Moreover, the requirements in Part 91 concerning this matter are not consistent with those

in Parts 121 and 127. Finally, insofar as the provisions in Parts 121 and 127 require "all" records to be transferred, they have created considerable confusion. Therefore, it is proposed to amend Parts 121 and 127 by deleting the provisions concerning the transfer of records and to add § 91.174 to Part 91 to be applicable to all operators, including Parts 121 and 127 operators, which would require the transfer of records only upon the sale of an aircraft.

It is further proposed to delete the current requirements of §§ 121.699 and 127.309, covering records of the total time in service, time since last overhaul, and time since last inspection, for each major component of each airframe, aircraft engine, propeller, and appliance. The FAA believes that the only time in service records that need be retained by any operator are those governing the total time in service of the airframe, the status of life limited parts, the time since last overhaul for those items installed on an aircraft that have specified overhaul times, and the time since last inspection for those inspections required by the inspection program under which the aircraft, aircraft engine, propeller, and appliance are maintained. These would be included in the records listed in the new § 91.174.

With further respect to Part 121, it is proposed to amend § 121.369 to require that the record system now required under § 121.380 must be set forth in the certificate holder's manual and to specify the data that must be included in the system. In addition, §§ 121.698 and 121.380 would be combined into a new § 121.380. The new § 121.380 would simplify the recording requirements for Part 121 certificate holders. As proposed, each certificate holder would have to maintain (1) those records necessary to show that the requirements for the issuance of an airworthiness release under § 121.709 have been met and (2) those records containing the information specified in § 91.174. The FAA believes that this proposal would clarify the current requirements. In other respects, the new § 121.380 contains substantially the same requirements as now set forth in current §§ 121.380 and 121.698. The identical changes are proposed for §§ 127.141 and 127.308.

In consideration of the foregoing, it is proposed to amend Parts 91, 121, and 127 as follows:

1. By amending § 91.173 to read as follows:

§ 91.173 Maintenance records.

(a) Except for work performed in accordance with § 91.170, each registered owner or operator shall keep the following records for the periods specified in paragraph (b) of this section:

(1) Records of the maintenance and alteration, and records of the 100-hour, annual, progressive, and other approved inspections, as appropriate, for each aircraft (including the airframe) and each engine, propeller or rotor, and appliance

Vitamins and minerals	Unit of measurement	Minimum amounts
Vitamin A	U.S.P. units	250
Vitamin D	do.	40
Vitamin E	International units	0.3
Ascorbic acid (vitamin C)	Milligrams	8
Thiamin (vitamin B ₁)	do.	0.025
Riboflavin (vitamin B ₂)	do.	0.46
Niacin	Milligram equivalent	0.8
Vitamin B ₆	Milligrams	0.035
Folate	Micrograms	4
Pantothenic acid	Milligrams	0.3
Vitamin B ₁₂	Micrograms	0.15
Calcium	Milligrams	50
Phosphorus	do.	25
Magnesium	do.	6
Iron	do.	1
Iodine	Micrograms	5
Copper	Milligrams	0.06

¹ The generic term "niacin" includes niacin (nicotinic acid), niacinamide (nicotinamide), and 1 milligram equivalent for each 60 milligrams of tryptophan in the food.

(6) If such food contains fat at a level supplying less than 15 percent of the total available kilocalories, or linoleic acid (present as a glyceride) at a level supplying less than 2 percent of the total available kilocalories, a statement that an additional quantity of fat or linoleic acid (linoleate), as the case may be, should be supplied from other sources. The requirement of this subparagraph shall not apply to such food which purports to be or is represented for special dietary use by reason of a need for regulating the intake of fat.

(d) The provisions of paragraph (c) of this section shall not apply to whole milk (of cows) or evaporated milk except with respect to ascorbic acid, vitamin D, and iron under paragraph (c) (5) of this section.

(e) A food which purports to be or is represented for special dietary use solely as a food for infants by reason of its simulation of human milk or its suitability as a complete or partial substitute for human milk, and which complies with the provisions of this section, shall be exempt from the effective provisions of §§ 125.3, 125.4, and 125.6 of this Part 125.

Any interested person whose appearance was filed at the hearing may, within 30 days after the date of publication of this tentative order in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed findings of fact and tentative order, and shall contain specific references to the pages of the transcript of testimony and to the exhibits on which the exceptions are based. Exceptions and accompanying briefs should be submitted in quintuplicate.

Dated: October 22, 1970.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[P.R. Doc. 70-14564; Filed, Oct. 28, 1970; 8:50 a.m.]

of an aircraft. The records must include—

(i) A description (or reference to data acceptable to the Administrator) of the work performed;

(ii) The date of completion of the work performed; and

(iii) The signature and certificate number of the person approving the aircraft for return to service.

(2) Records containing the following information:

(i) Total time in service of the airframe.

(ii) The current status of life-limited parts of airframes, engines, propellers or rotors, and appliances.

(iii) The time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis.

(iv) Identification of the current inspection status of the aircraft, including the times since the last inspections required by the inspection program under which the aircraft and its appliances are maintained.

(b) Except for those records specified in § 91.174, which must be retained and transferred with the aircraft at the time the aircraft is sold, all the records covered by paragraph (a) (1) of this section must be retained until the work is repeated or superseded by other work or for 1 year after the work is performed.

(c) The owner or operator shall make all maintenance records required to be kept by this section available for inspection by the Administrator or any authorized representative of the National Transportation Safety Board (NTSB).

2. By amending Part 91 by adding a new § 91.174 to read as follows:

§ 91.174 Transfer of maintenance records.

(a) Any owner or operator who sells an aircraft shall transfer to the purchaser, at the time of sale, records as set forth in paragraph (b) of this section in plain language form except that the purchaser may elect to receive the records in coded form if the coded form provides for the preservation and retrieval of information in a manner acceptable to the Administrator.

(b) The records must contain the following information:

(1) The current status of applicable airworthiness directives, including the method of compliance.

(2) A list of current major alterations to each airframe, engine, propeller or rotor, and appliance.

(3) Total time in service of the airframe.

(4) The current status of life-limited parts of each airframe, engine, propeller or rotor, and appliance.

(5) The time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis.

(6) Identification of the current inspection status of the aircraft, including the times since the last inspections required by the inspection program under

which the aircraft and its appliances were maintained.

3. By amending § 121.369 by adding a new paragraph (c) to read as follows:

§ 121.369 Manual requirements.

(c) The certificate holder must set forth in its manual a suitable system (which may include a coded system) that provides for preservation and retrieval of information in a manner acceptable to the Administrator and that provides—

(1) A description (or reference to data acceptable to the Administrator) of the work performed;

(2) The name of the person performing the work if the work is performed by a person outside the organization of the certificate holder; and

(3) The name or other positive identification of the individual approving the work.

4. By amending § 121.380 to read as follows:

§ 121.380 Maintenance recording requirements.

(a) Each certificate holder must keep (using the system specified in the manual required in § 121.369) the following records:

(1) All the records necessary to show that all requirements for the issuance of an airworthiness release under § 121.709 have been met.

(2) All the records containing the information specified in § 91.174 of this chapter.

(b) Except for those records specified in § 91.174 of this chapter, which must be retained and transferred with the aircraft at the time the aircraft is sold, the certificate holder must retain all the records covered by paragraph (a) (1) of this section until the work is repeated or superseded by other work or for 1 year after the work is performed, and must retain the record of the last complete overhaul of any airframe, engine, propeller or rotor, or appliance.

(c) The certificate holder shall make all maintenance records required to be kept by this section available for inspection by the Administrator or any authorized representative of the National Transportation Safety Board (NTSB).

5. By deleting the substance of §§ 121.698 and 121.699 and by marking them "reserved".

6. By amending § 127.134 by adding a new paragraph (c) to read as follows:

§ 127.134 Manual requirements.

(c) The certificate holder must set forth in its manual a suitable system (which may include a coded system), that provides for preservation and retrieval of information in a manner acceptable to the Administrator and that provides—

(1) A description (or reference to data acceptable to the Administrator) of the work performed;

(2) The name of the person performing the work if the work is performed by

a person outside the organization of the certificate holder; and

(3) The name or other positive identification of the individual approving the work.

7. By amending § 127.141 to read as follows:

§ 127.141 Maintenance recording requirements.

(a) Each certificate holder must keep (using the system specified in the manual required in § 127.134) the following records:

(1) All the records necessary to show that all the requirements for the issuance of an airworthiness release under § 127.319 have been met.

(2) All the records containing the information specified in § 91.174 of this chapter.

(b) Except for those records specified in § 91.174 of this chapter, which must be retained and transferred with the aircraft at the time the aircraft is sold, the certificate holder must retain all the records covered by paragraph (a) (1) of this section until the work is repeated or superseded by other work or for 1 year after the work is performed, and must retain the record of the last complete overhaul of any airframe, engine, propeller or rotor, or appliance.

(c) The certificate holder shall make all maintenance records required to be kept by this section available for inspection by the Administrator or any authorized representative of the National Transportation Safety Board (NTSB).

8. By deleting the substance of §§ 127.308 and 127.309 and by marking them "reserved".

These amendments are proposed under the authority of sections 313(a), 601, and 605 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1425), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on October 23, 1970.

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

[P.R. Doc. 70-14542; Filed, Oct. 28, 1970; 8:48 a.m.]

Hazardous Materials Regulations Board

[49 CFR Part 179]

[Docket No. HM-63; Notice No. 70-20]

TRANSPORTATION OF HAZARDOUS MATERIALS

Tank Car Specifications

The Hazardous Materials Regulations Board is considering amending Part 179 of the Department's Hazardous Materials Regulations to remove the authorization for higher discharge safety valve settings on DOT Specifications 112A and 114A tank cars transporting liquefied petroleum gas and anhydrous ammonia. The

Board also proposes to cease issuance and renewal of special permits authorizing these higher discharge safety valve settings on Specifications 112A and 114A tank cars, and special permits authorizing use of specifications 112A and 114A tank cars constructed with a welded joint efficiency of E=1.0. Upon adoption of this proposal, the Board would withdraw existing special permits of these two types.

As of this publication date, all outstanding special permits authorizing a discharge safety valve setting of 280.5 p.s.i.g. on specification 112A340W and 114A340W, or 330 p.s.i.g. on specification 112A400W tank cars, are hereby revised to preclude addition of new tank cars to settings will be accepted. Requests to record tank cars under special permits authorizing these higher safety valve settings will be accepted. Requests to record tank cars constructed with a welded joint efficiency of E=1.0, and built after November 25, 1970, will not be accepted.

A continuing series of major accidents resulting in deaths, personal injuries, and massive property losses have involved tank cars of the above descriptions.

Section 179.102-11 presently allows discharge safety relief valve settings to prevent buildup of pressure in excess of 90 percent of tank test pressure. The Board is of the opinion that this percentage does not afford an adequate margin of safety in specifications 112A and 114A tank cars, and the Board is therefore proposing to remove that authorization for those cars. The highest allowable setting would be that specified in section 179.101-1. Consistent with this proposal, the Board would cease to issue or renew special permits authorizing such higher safety valve settings, and the Board is further proposing withdrawal of those special permits outstanding. The effective date for this withdrawal would be June 1, 1971.

Section 179.100-6 requires that the welded joint efficiency of pressure tank cars be E=0.9. This figure is inserted in the formula for determination of tank car plate thickness. All other factors remaining constant, an increase in the welded joint efficiency figure leads to a decrease in the required tank plate thickness. The Board has concluded that this reduction in plate thickness on specifications 112A and 114A pressure tanks is not in the interest of safety, and therefore its authorization by special permit should be discontinued. The Board is accordingly proposing to cease issuance and renewal of special permits granting such authorization, and upon adoption of this proposal would withdraw outstanding permits for E=1.0 on specifications 112A and 114A tank cars, as of June 1, 1971.

Return to service of cars affected by the above permit withdrawals may be considered by the Board upon addition of adequate modifications or operational controls. Comments suggesting appropriate modifications of cars or operational controls will be appreciated.

In consideration of the foregoing, the Board proposes to amend Part 179 as follows:

(A) Section 179.102-11 would be amended to read:

§ 179.102 Special Commodity requirements for pressure tank car tanks.

§ 179.102-11 Liquefied petroleum gas or anhydrous ammonia.

(a) Specification 105A300W tank cars used to transport liquefied petroleum gas or anhydrous ammonia may as an alternative comply with the following special requirements:

(1) Safety relief valve may be set to the following pressures, provided the total valve discharge capacity is sufficient to prevent building up pressure in the tank in excess of 90 percent of the tank test pressure.

<i>DOT specifications</i>	<i>105A300-W</i>
Safety relief valves, p.s.i.:	
Start-to-discharge pressure.....	247.5
Start-to-discharge tolerance.....	7.4
Vapor tight pressure (minimum)....	196

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before January 12, 1971, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board both before and after the closing date for comments.

This proposal is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on October 23, 1970.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

[F.R. Doc. 70-14545; Filed, Oct. 28, 1970; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 21, 43, 61]

[Docket No. 18920]

DOMESTIC PUBLIC POINT-TO-POINT MICROWAVE RADIO SERVICE

Specialized Common Carrier Services; Order Extending Time for Filing Reply Comments

In the matter of establishment of policies and procedures for consideration of applications to provide specialized common carrier services in the domestic

public point-to-point microwave radio service and proposed amendments to Parts 21, 43 and 61 of the Commission's rules.

1. The Commission has received motions from American Telephone and Telegraph Co. (A.T. & T.) and GT&E Service Corp. (GT&E) for an extension of the time for filing reply comments in this proceeding (35 F.R. 11806). The present due date is November 2, 1970. A.T. & T. seeks an extension until December 1, 1970, and GT&E requests a filing date of January 5, 1971. In support of their requests A.T. & T. and GT&E point to the extensive comments filed by a large number of interested persons, the complexity and importance of the issues, and the circumstance that three parties were granted leave to file late comments.

2. The motions are opposed by Data Transmission Co. (Datran), the MCI carriers (MCI), and Interdata Communications, Inc. (Interdata). They state that the purpose of this proceeding is to facilitate and expedite resolution of the policy and procedural questions which confront the Commission with respect to the applications involved, and that any delay in a decision is not in the public interest. In the event that any extension is granted, they further urge that the delay be kept to a minimum. In addition, MCI and Interdata request that the Commission announce that it will not hold oral argument in this proceeding if an extension is granted.

3. It appears that the public interest would be served by a reasonable extension of the time for filing reply comments, in view of the bulk of the record, the importance of the issues, and the Commission's desire to receive the full assistance of all interested persons in this complex matter.¹ However, in view of the Commission's expressed desire to resolve this proceeding in the shortest possible time (24 FCC 2d 318, 327), we cannot conclude that it is in the public interest to grant an extension of the length requested by GT&E. Nor does it appear that GT&E has made an adequate showing of good cause in support of its request. In the circumstances, an extension until December 2, 1970 seems reasonable. No further extension of the time for filing reply comments will be granted in the absence of an extraordinary showing of good cause. We will defer for the Commission's consideration the decision as to whether oral argument in this matter would be of assistance. This decision will be made in light of the views expressed on this question in the comments and replies filed by all interested parties.

4. Accordingly, it is ordered, Pursuant to § 0.303 of the Commission's rules and regulations, that the time for filing reply comments in this proceeding is extended until December 2, 1970, and the various requests made in the pleadings

¹ We note also that all but three of the parties did file their initial comments within the time period originally specified by the Commission in the notice issued on July 15, 1970 (24 FCC 2d 318).

described above are granted to the extent reflected herein and are otherwise denied.

Adopted: October 22, 1970.

Released: October 23, 1970.

[SEAL] BERNARD STRASSBURG,
Chief, Common Carrier Bureau.

[P.R. Doc. 70-14543; Filed, Oct. 23, 1970;
8:48 a.m.]

[47 CFR Part 73]

[Docket No. 18979]

TELEVISION BROADCAST STATIONS

Table of Assignments, Kerrville-Fredericksburg, Tex.; Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of § 73.606(b) Table of Assignments, Television Broadcast Stations (Kerrville-Fredericksburg, Tex.), Docket No. 18979, RM-1387.

1. This proceeding was begun by notice of proposed rule making (FCC 70-927) adopted August 26, 1970, released August 31, 1970, and published in the FEDERAL REGISTER September 4, 1970, 35 P.R. 14095. The dates presently designated for filing comments and reply comments are presently October 23, 1970 and November 3, 1970, respectively.

2. On October 21, 1970, Channel Twenty-four Corp. (Channel Twenty-four) filed a request to extend the time for filing comments and reply comments to November 3 and November 13, 1970, respectively. Channel Twenty-four states its engineer has made substantial progress but has been unable to complete his report which is to be submitted in this proceeding. Counsel for United-Tecon, the proponent of the rule making, has consented to a grant of this request for extension of time.

3. It appears that the additional time is warranted and would serve the public interest. Accordingly, it is ordered, That the request of Channel Twenty-four Corp. is granted to and including November 3, 1970 for comments and November 13, 1970 for reply comments.

4. This action is taken pursuant to authority found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d) (8) of the Commission's rules and regulations.

Adopted: October 22, 1970.

Released: October 23, 1970.

[SEAL] FRANCIS R. WALSH,
Chief, Broadcast Bureau.

[P.R. Doc. 70-14544; Filed, Oct. 23, 1970;
8:48 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 154]

[Docket No. R-406]

PURCHASED GAS COST ADJUSTMENT PROVISIONS IN NATURAL GAS PIPELINE COMPANIES' FPC GAS TARIFF

Notice of Proposed Rule Making

OCTOBER 22, 1970.

Notice is hereby given, pursuant to 5 U.S.C. 553, that the Federal Power Commission proposes to amend § 154.38 of its regulations under the Natural Gas Act, Chapter 1, Title 18 of the Code of Federal Regulations, in the manner set forth below. Generally stated the changes would add a new subsection, (d) (4), to § 154.38 which delineates the requirements to be met by a pipeline company proposing to include a purchased gas cost adjustment clause in its FPC Gas Tariff.

The cost of purchased gas for the majority of natural gas pipeline companies is by far the largest single component of their total cost of service. In Texas Eastern Transmission Corporation, 39 PFC 630, (1968), affirmed Texas Eastern Transmission Corp. v. F.P.C., 414 F. 2d 344 (CA5 1969), certiorari denied 398 U.S. 928 (1970), we stated that natural gas pipeline companies would be required to flow through to their jurisdictional customers the jurisdictional portion of all refunds accruing from their gas suppliers subsequent to the date of our opinion therein. We have thus made it clear that it will be the pipeline companies' responsibility to protect themselves against gas supplier rate increases by filing rate increases of their own to cover such additional costs. The proposed amendments to our regulations herein noticed will provide an administratively feasible procedure for carrying out the Commission's policy announced in Texas Eastern, supra. We believe that absent the procedures herein proposed, the carrying out of the responsibility which we have placed on the pipeline companies to protect themselves from the effects of gas supplier rate increases could result in a much larger volume of general rate increase applications being filed in the future than are presently before us. To the extent that the procedures proposed herein have a limiting effect on the number of rate increase applications to be filed in the future, charges collected from the pipeline companies' customers subject to refund should be greatly reduced with corresponding reductions in the refund obligations of the pipeline companies. As a result, therefore, the frequency of extensive shifts in charges to consumers of natural gas would be reduced. Also, the proposed rulemaking should help prevent a backlog of "pancaked" rate filings which cause prolonged delays in the final determination of proper rate levels, and frustrate the administrative process.

We recognize that a purchased gas cost adjustment clause gives pipeline companies an automatic right to increase their rates to reflect increases in the cost of purchased gas. On the other hand, the clause requires the companies to automatically reflect in their rates purchased gas cost decreases. We also recognize that there may be possible offsets to increases in the cost of purchased gas and we therefore will require, under the procedures herein proposed, periodic investigations into the companies' cost of service.

The proposed amendment to § 154.38 of the Commission's regulations under the Natural Gas Act would be issued under the authority granted the Federal Power Commission by the Natural Gas Act, particularly sections 4 and 16 (52 Stat. 822, 830; 76 Stat. 72; 15 U.S.C. 717c, 717o).

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than November 17, 1970, data, views, comments, and suggestions in writing, concerning the proposed amendments. An original and 14 conformed copies should be filed with the Commission. Submissions to the Commission should indicate the name, address and telephone number of the person to whom correspondence in regard to the proposal should be addressed, and whether the person filing them requests a conference at the Federal Power Commission to discuss the proposed amendments. The Commission will consider all such written submissions before acting on the proposed amendments.

Accordingly, it is proposed to amend paragraph (d) of § 154.38 of the Commission's regulations under the Natural Gas Act, Chapter 1, Title 18 of the Code of Federal Regulations by adding a new subparagraph (4), following immediately after paragraph (d) (3) of § 154.38, which will read as follows:

§ 154.38 Composition of rate schedule.

(d) Statement of rate. * * *

(4) A natural-gas pipeline company may submit a purchase gas adjustment clause (PGA) to flow-through changes in its cost of gas purchased from independent producers and pipeline supply companies. Such PGA may be included in its FPC Gas Tariff and become effective only after the Commission has granted waiver of subparagraph (3) of this paragraph as it pertains to purchased gas adjustment clauses. No request for waiver of subparagraph (3) of this paragraph will be considered by the Commission unless the proposed PGA complies with the following terms and conditions:

(i) The proposed purchased gas cost adjustment provision shall be accompanied by a cost study as required in subdivision (vi) of this subparagraph, unless a cost of service having a test period ending less than twelve (12) months prior to the date of submission of

PROPOSED RULE MAKING

the proposed PGA is presently on file in another FPC docket.

(ii) The method(s) of determining changes in cost of gas purchased from independent producers and from pipeline suppliers shall be separately established. Such method(s) of determining changes of cost and the application of such changes in company's rate schedules shall be specified in the PGA.

(iii) The purchased gas cost adjustment shall be reflected in the company's charges only when it represents a dollar amount equating to at least 1 mill (\$.001) per Mcf of jurisdictional sales.

NOTICE OF PURCHASED GAS COST ADJUSTMENT RATE CHANGE

Rate schedule	Present tariff rate	Current adjustment	Cumulative adjustment	Rate after current adjustment
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Simultaneously with the filing of the above-described tariff sheet, it shall furnish the Commission, its jurisdictional customers, and interested State commissions a report containing the detailed computations of the Current Adjustment to be applied to its existing rates.

(vi) The company shall file a cost and revenue study based on a 12-month accounting period ending in the month of October, which is no less than 24 months nor more than 36 months following the effective date of the purchased gas cost adjustment provisions in its tariff, and shall prepare a cost and revenue study based on a 12-month accounting period ending in the month of October each 3 years thereafter. Such cost and revenue study shall be filed with the Commission and served on the company's jurisdictional customers and interested State commissions no later than February 1st following the 12-month period on which they are required to be based. Such cost and revenue study shall be in the form and content prescribed by § 154.63, except that it shall be limited to actual and annualized costs, and may exclude, subject to being subsequently required, the following schedules: C-1, 4, 5, 6, 7, 8, 9,

(iv) Rate Changes shall be computed and filed quarterly to reflect the current cost of independent producer purchases. Rate changes shall be computed and filed to coincide with the effective date of pipeline supplier rate changes.

(v) The company shall file with the Commission and post pursuant to § 154.16 at least thirty (30) days prior to the date on which any change(s) in its existing rates is to become effective, a single tariff sheet, entitled Original PGA-1, containing the information in the margins as set out and required in § 154.33(d), which shows the following:

10, 11, 12, 13, and 15; D-2 and 3; E-2; F; H(1)-2, H(1)-4 a through h, and H(4)-2; J; K; N; O; and P. If either as a result of conferences among the company, its jurisdictional customers, interested State commissions, and the Commission's staff, or as a result of Commission determination after hearing, it is found, based on the aforementioned cost and revenue study, that the jurisdictional cost of service is lower than the jurisdictional revenues collected, for the same 12-month period, the company shall file with the Commission revised tariff sheets reflecting, as of the last day of the 12-month period on which the cost and revenue study hereby required is based, a reduction in its jurisdictional rates by an amount equal to the excess revenues agreed upon or determined, and shall refund to its jurisdictional customers any excess amounts collected from such effective to the date of billing under the revised tariff sheets.

(vii) The jurisdictional portion of all refunds received from suppliers shall be flowed through to the company's jurisdictional customers. The timing of the flow through of such refunds to be made along with any requirement for the

servicing and the filing of reports, showing details of the computations of any such refunds, shall be either as agreed upon in settlement discussions held among the company, its jurisdictional customers, interested state commissions, and the Commission's staff, or as prescribed by Commission order.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-14512; Filed, Oct. 28, 1970; 8:45 a.m.]

[18 CFR Part 157]

[Docket No. R-377]

TRANSPORT AND/OR SALES OF LIQUEFIED NATURAL GAS

Notice of Postponement of Conference

OCTOBER 22, 1970.

Proposed amendment to regulations under section 7(c) of the Natural Gas Act to exempt certain transport and/or sales of liquefied natural gas.

On September 29, 1970, a notice was issued for a conference to be held on November 3, 1970, in the above-designated matter (35 F.R. 15446). By letter filed on October 12, 1970, Southern Natural Gas Co. requested a postponement of the conference since November 3 is Election Day.

Notice is hereby given that the conference presently scheduled for November 3, 1970, is postponed to November 17, 1970, at 10 a.m., e.s.t., in a hearing room (to be posted) in the Federal Power Commission, 441 G Street NW., Washington, D.C. 20426.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-14515; Filed, Oct. 28, 1970; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

FERRITE CORES FROM JAPAN

Determination of Sales at Less Than Fair Value

OCTOBER 26, 1970.

Information was received on March 22, 1968, that ferrite cores (of the type used in consumer electronic products) from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

A "Withholding of Appraisal Notice" issued by the Commissioner of Customs was published in the FEDERAL REGISTER of July 31, 1970.

I hereby determine that for the reasons stated below, ferrite cores (of the type used in consumer electronic products) from Japan are being, or likely to be, sold at less than fair value within the meaning of section 201(a) of the Act.

Statement of reasons on which this determination is based: The information currently before the Bureau reveals that the proper basis of comparison is between purchase price and home market price.

Purchase price was calculated by deducting clearance charges, export loading charges, transportation charges, insurance, brokerage charges and U.S. customs duties, as appropriate, from the prices to the United States.

Home market prices were based on the delivered prices at which such or similar ferrite cores were sold to purchasers in Japan. From these prices inland freight was deducted. Adjustments were made for differences between the interest and packing costs incurred on sales in the home market and on sales to the United States. Further adjustment, as appropriate, was made for differences in the merchandise sold in Japan and that sold to the United States.

Purchase prices were lower than home market prices by amounts that were more than minimal in relation to the total volume of sales.

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 70-14594; Filed, Oct. 28, 1970;
8:50 a.m.]

LOUDSPEAKERS FROM JAPAN

Determination of Sales at Not Less Than Fair Value

OCTOBER 26, 1970.

On May 9, 1970, there was published in the FEDERAL REGISTER a "Notice of Tenta-

tive Negative Determination" that loudspeakers from Japan were not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded an opportunity to present oral or written views in accordance with § 53.33(b), Customs Regulations. Presentations were made by both the attorney for the complainant and the attorney for the Japanese manufacturers.

Upon review of these presentations and for the reasons stated in the tentative determination, I hereby determine that loudspeakers from Japan are not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c) and § 53.33(c), Customs Regulations (19 CFR 53.33(c))).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 70-14595; Filed, Oct. 28, 1970;
8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. P-12452]

ALASKA

Notice of Hearing on Proposed Classification of Lands

Notice is hereby given that a public hearing will be held at 7:30 p.m., Tuesday, November 24, 1970, at the Veterans of Foreign Wars Hall in Tok, Alaska. This hearing will consider the proposed classification of approximately 12 million acres. An initial hearing has been scheduled in Fairbanks at 8 p.m., Tuesday, October 27, 1970. The Public Lands involved are roughly bounded by the Yukon River on the north, the Alaska Highway and Northway area on the south, the United States-Canada border on the east and the Salcha-Charley River drainages on the west.

Notice of this proposed classification was published in the FEDERAL REGISTER on May 9, 1970, Volume 35, pages 7311-7313. The hearing officials will welcome the views of interested parties in favor of or in opposition to the proposal. All interested persons who desire to be heard on the subject may appear in person or submit written statements. The record will remain open until December 7, 1970, for submission of written statements to

the District Manager, Bureau of Land Management, Post Office Box 1150, Fairbanks, Alaska 99707.

ROBERT C. KRUMM,
Manager, Fairbanks District
and Land Office.

[P.R. Doc. 70-14551; Filed, Oct. 28, 1970;
8:48 a.m.]

[A 2896]

ARIZONA

Aravaipa Canyon; Notice of Restricted Vehicle Use Closure Order

Notice is hereby given in accordance with Title 43 CFR Group 6000—Outdoor Recreation and in conformance with the principles established by the National Environmental Policy Act of 1969, that certain lands located in the Aravaipa Canyon Primitive Area are closed to motorized vehicles.

Careful review and analysis in cooperation with other land management authorities and the public has found that increasing use of this area by motorized vehicles will cause damage to natural features. Continued use by motorized vehicles will cause severe damage to the terrain, forage, trees, etc.

All forms of motorized vehicles, including those used in mining exploration, resource management, and administration, and the casual operation for outdoor recreation purposes, are excluded from the area except that necessary for livestock operations by licensed range users and emergency and enforcement situations by authorized persons.

This closure applies to the public lands located in the Aravaipa Canyon Primitive Area from a point of the confluence of Aravaipa and Turkey Creeks on the east, down drainage and along the south and north rims for approximately 7.5 miles to the center line of section 13, T. 6 S., R. 17 E. on the west. The subject Federal lands are located in:

GILA AND SALT RIVER MERIDIAN, ARIZONA
T. 6 S., R. 19 E.,
Sec. 19.
T. 6 S., R. 18 E.,
Sec. 7, secs. 13 to 18, inclusive, and secs.
23 and 24.
T. 6 S., R. 17 E.,
Sec. 13.

All Federal lands administered by the Bureau of Land Management within the above described area are closed from the date of this notice. Signs will be posted to identify the exterior boundaries.

A map of the closure area is posted in the Safford District Office, Bureau of Land Management, Safford, Ariz., and on file in the Bureau of Land Management State Office, Phoenix, Ariz.

Cooperation of all will be sincerely appreciated.

Dated: October 22, 1970.

JOE T. FALLINI,
State Director.

[F.R. Doc. 70-14519; Filed, Oct. 28, 1970;
8:46 a.m.]

[N-3836, N-4202, N-5002]

NEVADA

Notice of Proposed Classification of Public Lands

OCTOBER 20, 1970.

Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the public lands described below for disposal under the Recreation and Public Purposes Act of June 14, 1926 (44 Stat. 741), as amended (43 U.S.C. 869), for enlargement of the Valley of Fire State Park.

Publication of this notice has the effect of segregating all the lands described below from all forms of appropriation under the public land laws, including the general mining laws, but not the mineral leasing laws, except the form of disposal prescribed above.

The District Advisory Board, local government officials, and other interested parties have been notified of this proposal. Information derived from discussions, other sources, and field inspections indicate that these lands are chiefly valuable for public purposes (43 CFR 2430.4(a) and 43 CFR 2430.2(b)), and that these lands meet the criterion of 43 CFR 2430.4(c) which authorizes classification of lands for recreation and public purposes use when the provisions of the act are required to insure the continued dedication of the lands for recreation and public purposes use. Information concerning the lands, including a field report is available for inspection and study at the Las Vegas District Office, Bureau of Land Management, 1859 North Decatur Boulevard, Las Vegas, Nev.

The lands affected by this proposal are located near Overton, Clark County, Nev., and are described as:

MOUNT DIABLO MERIDIAN
(N-3836)

T. 16 S., R. 66 E.,
Sec. 26, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 35, all.
(N-4202)

T. 16 S., R. 66 E.,
Sec. 12, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 13, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$.

T. 17 S., R. 66 E.,
Sec. 11, all;
Sec. 12, W $\frac{1}{2}$;
Sec. 13, W $\frac{1}{2}$;
Secs. 14, 23, all;
Sec. 24, lots 3-8, inclusive;
Sec. 25, lot 1;
Sec. 26, lots 1-11, inclusive.

T. 15 S., R. 67 E.,
Sec. 31, E $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 32, all;
Sec. 33, W $\frac{1}{2}$.

T. 16 S., R. 67 E.,
Sec. 4, W $\frac{1}{2}$;
Sec. 5, N $\frac{1}{2}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Secs. 6, 7, 8, all;
Sec. 9, W $\frac{1}{2}$;
Sec. 16, W $\frac{1}{2}$;
Secs. 17, 18, 19, 20, 21, 23, all;
Sec. 29, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
T. 17 S., R. 67 E.,
Sec. 32, all.

(N-5002)

T. 16 S., R. 66 E.,
Sec. 1, all;
Sec. 2, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 12, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$;
Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 23, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 24, W $\frac{1}{2}$;
Sec. 34, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$.
T. 18 S., R. 66 $\frac{1}{2}$ E.,
Sec. 7, lot 2, S $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 16 S., R. 67 E.,
Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 34, all.
T. 17 S., R. 67 E.,
Secs. 33, 34, 35, 36, all.
T. 18 S., R. 67 E.,
Sec. 6, NW $\frac{1}{4}$.

Aggregating approximately 21,240 acres.

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Las Vegas District Manager, Bureau of Land Management, Las Vegas, Nev. 89108.

For the State Director.

ROLLA E. CHANDLER,
Manager, Nevada Land Office.

[F.R. Doc. 70-14520; Filed, Oct. 28, 1970;
8:46 a.m.]

[Wyoming 23775]

WYOMING

Notice of Classification of Public Lands for Multiple-Use Management

OCTOBER 23, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2400 to 2460, inclusive, the public lands described below are hereby classified for multiple-use management. Publication of this notice segregates the land from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C. 21) but not the Recreation and Public Purposes Act. The lands are further segregated from the operation of the mineral leasing laws. 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.

2. No protests or objections were received following publication of the notice

of proposed classification (33 F.R. 93). Two letters supporting the classification were received. No public hearing was held. The record showing the comments received and other information is on file and can be examined in the Lander District Office, Bureau of Land Management, Lander, Wyo., and in the Land Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, Wyo.

3. Public lands affected by this classification are:

SIXTH PRINCIPAL MERIDIAN

FREMONT COUNTY

T. 40 N., R. 106 W.,
Sec. 22, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$.
T. 41 N., R. 106 W.,
Sec. 19, lots 2, 3, and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 29, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 30, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 31;
Sec. 32.
T. 41 N., R. 107 W.,
Sec. 24, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.

The public lands described above aggregate 2,599.03 acres.

3. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240.

JOHN R. KILLOUGH,
Acting State Director.

[F.R. Doc. 70-14540; Filed, Oct. 28, 1970;
8:47 a.m.]

Fish and Wildlife Service

CAPE ROMAIN NATIONAL WILDLIFE REFUGE

Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9 a.m. on January 15, 1971, at the Charleston County Library, 404 King Street, Charleston, Charleston County, S.C., on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the Cape Romain Wilderness proposal within the National Wilderness Preservation System. The wilderness proposal consists of approximately 28,000 acres within Cape Romain National Wildlife Refuge, and is located in Charleston County, State of South Carolina.

A brochure containing a map and information about the Cape Romain Wilderness proposal may be obtained from the Refuge Manager, Cape Romain National Wildlife Refuge, Post Office Box

288, McClellanville, S.C. 29458, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by March 1, 1971.

A. V. TUNISON,
Acting Director, Bureau of Sport
Fisheries and Wildlife.

OCTOBER 23, 1970.

[F.R. Doc. 70-14531; Filed, Oct. 28, 1970;
8:46 a.m.]

Office of the Secretary
HOWARD A. BECK

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 September 30, 1970.

Dated: September 30, 1970.

H. A. BECK.

[F.R. Doc. 70-14555; Filed, Oct. 28, 1970;
8:49 a.m.]

C. R. BILBY

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 September 29, 1970.

Dated: September 29, 1970.

C. R. BILBY.

[F.R. Doc. 70-14556; Filed, Oct. 28, 1970;
8:49 a.m.]

JAMES S. BROADDUS

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) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of September 28, 1970.

Dated: September 28, 1970.

JAMES S. BROADDUS.

[F.R. Doc. 70-14557; Filed, Oct. 28, 1970;
8:49 a.m.]

JOHN W. HIERONYMUS

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) Add: American Brands.
- (3) No change.
- (4) No change.

This statement is made as of September 29, 1970.

Dated: September 29, 1970.

JOHN W. HIERONYMUS.

[F.R. Doc. 70-14558; Filed, Oct. 28, 1970;
8:49 a.m.]

KENNETH I. SEWELL

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) Disposed of International Protein, Acquired AMP; Added Detroit Edison Common.
- (3) No change.
- (4) No change.

This statement is made as of September 29, 1970.

Dated: September 29, 1970.

K. I. SEWELL.

[F.R. Doc. 70-14559; Filed, Oct. 28, 1970;
8:49 a.m.]

E. F. TIMME

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 September 28, 1970.

Dated: September 28, 1970.

E. F. TIMME.

[F.R. Doc. 70-14560; Filed, Oct. 28, 1970;
8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

GRANTS FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES

Notice of Acceptance of Applications for Filing

Notice is hereby given that the following described applications for Federal financial assistance in the construction of noncommercial educational broadcasting facilities are 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 publication in the FEDERAL REGISTER, file comments regarding these applications with the Director, Educational Broadcasting Facilities Program, U.S. Office of Education, Washington, D.C. 20202.

EDUCATIONAL RADIO

Central Michigan University, Mount Pleasant, Mich. 48858, File No. 47-R, for the expansion of noncommercial educational radio station WCMU-FM on Channel 209, Mount Pleasant, Mich., accepted as of August 28, 1970. Estimated project cost: \$61,754. Grant requested: \$46,316. Application signed by: Mr. William B. Boyd, President.

Tishomingo County School District, 203 Quitman Street, Iuka, Miss. 38852, File No. 48-R, for the establishment of a new noncommercial educational FM radio station on Channel 203, Iuka, Miss., accepted as of August 24, 1970. Estimated project cost: \$46,931. Grant requested: \$35,198. Application signed by: Mr. Melvin Phifer, Superintendent of Education, Tishomingo County.

Colby Community Junior College, 1255 South Range, Colby, Kans. 67701, File No. 49-R, for the establishment of a new noncommercial educational radio station on Channel 205, Colby, Kans., accepted as of September 30, 1970. Estimated project cost: \$33,192. Grant requested: \$24,894. Application signed by: Donald J. Mildrexler, Director of Audio-Visual.

Middle Tennessee State University, East Main and Tennessee Boulevard,

Murfreesboro, Tenn. 37130, File No. 50-R, for the expansion of noncommercial educational radio station WMOT-FM on Channel 208, Murfreesboro, Tenn., accepted as of October 1, 1970. Estimated project cost: \$56,191. Grant requested: \$42,143. Application signed by: Dr. M. G. Scarlett, President.

EDUCATIONAL TELEVISION

Southwest Texas Educational Television Council, Post Office Box 7158, Austin, Tex. 78712, File No. 276-T, for the improvement of noncommercial educational television station KLRN-TV on Channel 9, Austin III, Tex., accepted as of July 22, 1970. Estimated project cost: \$376,052. Grant requested: \$251,000. Application signed by: Mr. Robert F. Schenckan, President and General Manager.

Twin City Area ETV Corp., 1640 Como Avenue, St. Paul, Minn. 55108, File No. 277-T, for the expansion of noncommercial educational television stations KTCA-TV and KTCI-TV on Channels 2 and 17, St. Paul, Minn. IV, accepted as of September 23, 1970. Estimated project cost: \$246,445. Grant requested: \$184,834. Application signed by: Mr. W. D. Donaldson, Assistant Secretary.

University of Washington, Seattle, Wash. 98105, File No. 278-T, for the improvement of noncommercial educational television station KCTS-TV on Channel 9, Seattle II, Wash., accepted as of September 29, 1970. Estimated project cost: \$666,919. Grant requested: \$466,919. Application signed by: Mr. George W. Farwell, Vice President for Research.

Mississippi Authority for Educational Television, Post Office Drawer 1101, Jackson, Miss. 39205, for the establishment of six new noncommercial educational television stations as follows:

File No.	City	ETV Ch.	Estimated project cost	Grant requested
279-T	D'Ixoi	19	\$775,200	\$387,600
280-T	Bude	17	536,821	268,410
281-T	Greenswood	23	536,821	268,410
282-T	Booneville	18	378,401	189,200
283-T	Meridian	14	536,821	268,410
284-T	Senatobia	22	624,703	312,351

These applications, signed by Mr. William R. Smith, Jr., Executive Director, are accepted as of September 25, 1970.

New Jersey Public Broadcasting Authority, 1573 Parkside Avenue, Trenton, N.J. 08638, for the establishment of two new noncommercial educational television stations as follows:

File No.	City	ETV Ch.	Estimated project cost	Grant requested
285-T	Deptford	23	\$769,815	\$367,000
286-T	Montclair	77	730,174	367,000

These applications, signed by Mr. Lawrence T. Frymire, Executive Director and Secretary, are accepted as of October 2, 1970.

Approved: October 22, 1970.

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

[P.R. Doc. 70-14465; Filed, Oct. 28, 1970;
8:45 a.m.]

Office of the Secretary

EXECUTIVE OFFICER

Statement of Organization, Functions, and Delegations of Authority

Section 1U17 of Part 2 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare is revised to read as follows:

Sec. 1U17.00 *Mission.* The Executive Officer is responsible for planning, organizing, and directing the administrative management of the Office of the Secretary at headquarters.

Sec. 1U17.10 *Organization.* A. The Executive Officer reports directly to the Assistant Secretary for Administration. On budget and financial matters, he receives technical guidance from the Assistant Secretary, Comptroller.

B. The Executive Office, under the supervision of an Executive Officer and a Deputy Executive Officer, consists of the:

1. Division of Administrative Services.
2. Division of Financial Management.
3. Department Library.
4. Division of Personnel Operations.

Sec. 1U17.20 *Functions.* The Executive Officer will develop and implement administrative management policies and procedures for the Office of the Secretary, so as to insure timely availability of adequate financial, manpower, physical, and analytical resources required for the accomplishment of the functions of the Office of the Secretary. The Executive Officer will:

A. Participate with the Assistant Secretary for Administration in planning and developing administrative management programs, policies, and procedures and in the analysis of proposed legislation, program plans and program operations of the Office of the Secretary in order to assess management implications and insure responsible administrative planning. Furnish advice, assistance, service, and information to all Office of the Secretary officials on internal administrative management practices and procedures.

B. Formulate and execute the budget for the Office of the Secretary; allocate funds to headquarters offices and to Office of Field Coordination for Regional Offices; control expenditure of funds; analyze and coordinate accounting reports of the accounting points in the Office of the Secretary; develop and maintain a position management system; assure implementation within the Office of the Secretary of Department-wide and Federal fiscal policies and procedures.

C. Plan and administer a comprehensive program of personnel management

and administration for the Office of the Secretary. Provide advice and assistance to management in position classification, recruitment and placement, employee training and development, employee relations, and incentive awards. Maintain personnel records, process personnel actions and prepare personnel reports. Provide advice and assistance to the Office of the Secretary staff in the Regional Offices through the Office of Field Coordination.

D. Provide general administrative services support for the Department in the following functional areas: Printing, publications, reproduction services; photographic, visual aids and graphic arts services; procurement, contracting and supply services; and in addition provides to the Office of the Secretary travel information and services; personal property management; space assignments; and other general administrative and building services matters. Act as liaison with the Division of General Services with respect to all central services, to assure adequacy of support for the Office of the Secretary.

E. Upon request and on own initiative, analyze organization and management problems within the Office of the Secretary; provide systems advice and control in administration of delegations of authority; committee management; forms control; records management and manual issuances. Develop and administer cost reduction, management improvement and manpower utilization programs. Provide an accurate, timely, comprehensive and compatible reports and statistics program including ADP applications.

F. Develop and implement plans and policies to improve opportunities for women and minority groups in all areas relative to their employment.

Dated: October 20, 1970.

SOL ELSON,
Acting Assistant Secretary
for Administration.

[P.R. Doc. 70-14565; Filed, Oct. 28, 1970;
8:50 a.m.]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. S-514]

EMBERT F. JAMES

Notice of Loan Application

OCTOBER 23, 1970.

Embert F. James, 23027 97th West, Edmonds, Wash., 98020, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 29.5-foot registered length wood vessel to engage in the fishery for halibut and salmon.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan

No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief,

Division of Financial Assistance.

[P.R. Doc. 70-14522; Filed, Oct. 28, 1970;
8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 70-137]

DELAWARE RIVER

Security Zone

By virtue of the authority vested in the Commandant, U.S. Coast Guard, by Executive Order 10173, as amended (33 CFR Part 6), sec. 6(b)(1), 80 Stat. 937, 49 U.S.C. 1655(b)(1), 49 CFR 1.46(b) and the redelegation of authority to Chief, Office of Operations, U.S. Coast Guard, as contained in the FEDERAL REGISTER of May 27, 1970 (35 F.R. 8279), I hereby affirm for publication in the FEDERAL REGISTER the order of B. F. Engel, Rear Admiral, U.S. Coast Guard, Commander, Third Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

DELAWARE RIVER SECURITY ZONE

Under the present authority of section 1 of title II of the Espionage Act of June 15, 1917, 40 Stat. 220, as amended, 50 U.S.C. 191, and Executive Order 10173, as amended, I declare that from 11:15 a.m., e.s.t., on Wednesday, November 11, 1970, until 12:45 p.m., e.s.t., on Wednesday, November 11, 1970, the following area is a security zone and I order it be closed to any person or vessel due to launching of the S. S. ERIC K. HOLZER.

The waters of the Delaware River, Chester, Pa., within the coordinates of latitude 39°50'36" N., longitude 75°21'22" W. at the shore line of Chester, Pa. thence southeast to latitude 39°50'16" N., longitude 75°21'07" W. thence northeast to latitude 39°50'45" N., longitude 75°19'29" W., thence north to latitude 39°51'22" N., longitude 75°19'32" W.

No person or vessel shall remain in or enter this security zone without permission of the Captain of the Port.

The Captain of the Port, Philadelphia, Pa., shall enforce this order. In the enforcement of this order, the Captain of the Port may utilize, by appropriate agreement, personnel

and facilities of any other Federal agency, or of any state or political subdivision thereof.

For violation of this order, section 2 of title II of the Espionage Act of June 15, 1917 (40 Stat. 220 as amended, 50 U.S.C. 192), provides:

If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or obstructs or interferes with the exercise of any power conferred by this chapter, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be punished by imprisonment for not more than 10 years, and may, in the discretion of the court, be fined not more than \$10,000.

(a) If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or knowingly obstructs or interferes with the exercise of any power conferred by this chapter, he shall be punished by imprisonment for not more than 10 years and may, at the discretion of the court, be fined not more than \$10,000.

Dated: October 26, 1970.

R. E. HAMMOND,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Operations.

[P.R. Doc. 70-14554; Filed, Oct. 28, 1970;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-192]

UNIVERSITY OF TEXAS

Notice of Issuance of Amendment to Facility License

The Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 6 to Facility License No. R-92 dated August 2, 1963. The license authorizes the University of Texas to possess, use and operate the TRIGA Mark I nuclear reactor located on the University's campus at Austin, Tex., at power levels up to 250 kilowatts (thermal). The amendment authorizes the University to receive, possess, and use an additional 150 grams of plutonium-239 contained in sealed stainless pins for experimental purposes.

By letter dated August 14, 1970, the University of Texas requested authorization to receive, possess, and use the additional special nuclear material in sealed stainless pins which will be assayed nondestructively by both passive and active examination for research projects in the field of special nuclear materials safeguards. The pins will be monitored for leaking in accordance with procedures which have previously been reviewed and approved by the Commission.

The Commission has found that the application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations

published in 10 CFR Ch. I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen (15) days from the date of publication of the notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the application for license amendment dated August 14, 1970, and (2) the amendment to the facility license which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of the amendment may be obtained upon request sent to the Atomic Energy Commission, Washington, D.C. 20545. Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 20th day of October 1970.

For the Atomic Energy Commission.

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

[P.R. Doc. 70-14511; Filed, Oct. 28, 1970;
8:45 a.m.]

[Dockets Nos. 50-329, 50-330]

CONSUMERS POWER CO.

Notice of Hearing on Application for Construction Permits

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and Part 2, "Rules of Practice," notice is hereby given that a hearing will be held at 10 a.m. local time, on December 1, 1970, in the Auditorium of the Grace Dow Memorial Library, 1710 West St. Andrews Road, Midland, Mich., to consider the application filed under § 104b. of the Act by the Consumers Power Co. (the applicant), for construction permits for two pressurized water nuclear reactors, each designed to operate initially at 2.452 megawatts (thermal), to be located at the applicant's site in Midland Township, Midland County, Mich.

The hearing will be conducted by the atomic safety and licensing board designated by the Atomic Energy Commission, consisting of Dr. Clark Goodman, Houston, Tex.; Dr. David B. Hall, Los Alamos,

N. Mex.; and Arthur W. Murphy, Esq., New York, N.Y., Chairman. Dr. Stuart G. Forbes, San Bernardino, Calif., has been designated as a technically qualified alternate, and James P. Gleason, Esq., Rockville, Md., has been designated as an alternate qualified in the conduct of administrative proceedings.

A prehearing conference will be held by the board in the Auditorium of the Grace Dow Memorial Library, 1710 West St. Andrews Road, Midland, Mich., on November 17, 1970, at 2 p.m. local time, to consider the matters provided for consideration by 10 CFR § 2.752 and section II of appendix A to 10 CFR Part 2.

The Director of Regulation proposes to make affirmative findings on Item Nos. 1-3 and a negative finding on Item 4 specified below as the basis for the issuance of construction permits to the applicant.

1. Whether in accordance with the provisions of 10 CFR § 50.35(a):

(a) The applicant has described the proposed design of the facilities including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest dates stated in the application for completion of construction of the proposed facilities, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicant is technically qualified to design and construct the proposed facilities;

3. Whether the applicant is financially qualified to design and construct the proposed facilities; and

4. Whether the issuance of permits for the construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR § 2.4 of the Commission's "Rules of Practice," the board will, without conducting a de novo evaluation of the application, consider the issues of whether the application and the record of the proceeding contain sufficient in-

formation, and the review by the Commission's regulatory staff has been adequate, to support the findings proposed to be made and the construction permits proposed to be issued by the Director of Regulation.

In the event that this proceeding becomes a contested proceeding, the board will consider and initially decide, as the issues in this proceeding, Item Nos. 1 through 4 above as the basis for determining whether construction permits should be issued to the applicant.

As they become available, the application, the proposed construction permits, the applicant's summary of the application, the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS) and the Safety Evaluation by the Commission's regulatory staff will be placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., where they will be available for inspection by members of the public. Copies of this notice of hearing, the proposed construction permits, the ACRS report, the applicant's summary of the application and the regulatory staff's Safety Evaluation will also be available at the Grace Dow Memorial Library, 1710 West St. Andrews Road, Midland, Mich., for inspection by members of the public on weekdays from 9 a.m. to 9 p.m. and on Saturdays from 9 a.m. to 5 p.m. Copies of the proposed construction permits, the ACRS report and the regulatory staff's Safety Evaluation may be obtained by request to the Director of the Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who wishes to make an oral or written statement in this proceeding setting forth his position on the issues specified, but who does not wish to file a petition for leave to intervene, may request permission to make a limited appearance pursuant to the provisions of 10 CFR § 2.715 of the Commission's "Rules of Practice." Limited appearances will be permitted at the time of the hearing in the discretion of the board, within such limits and on such conditions as may be fixed by the board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, by November 12, 1970.

Any person whose interest may be affected by the proceeding who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a petition for leave to intervene.

Petitions for leave to intervene, pursuant to the provisions of 10 CFR § 2.714 of the Commission's "Rules of Practice," must be received in the Office of the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than November 12, 1970, or in the event of a postponement of the prehearing conference, at such time as the board

may specify. The petition shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by Commission action, and the contentions of the petitioner in reasonably specific detail. A petition which sets forth contentions relating only to matters outside the Commission's jurisdiction will be denied. A petition for leave to intervene which is not timely will be denied unless the petitioner shows good cause for failure to file it on time.

A person permitted to intervene becomes a party to the proceeding, and has all the rights of the applicant and the regulatory staff to participate fully in the conduct of the hearing. For example, he may examine and cross-examine witnesses. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR § 2.705 of the Commission's "Rules of Practice," must be filed by the applicant on or before November 12, 1970.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Pending further order of the board, parties are required to file, pursuant to the provisions of 10 CFR § 2.708 of the Commission's "Rules of Practice," an original and 20 copies of each such paper with the Commission.

With respect to this proceeding, the Commission has delegated to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission. The Commission has established the Appeal Board pursuant to 10 CFR § 2.785 of the Commission's "Rules of Practice," and has made the delegation pursuant to paragraph (a) (1) of this section. The Appeal Board is composed of the Chairman and Vice-Chairman of the Atomic Safety and Licensing Board Panel and a third member who is technically qualified and designated by the Commission. The Commission has designated Dr. Lawrence Quarles, Dean of the School of Engineering and Applied Science, The University of Virginia, as this third member.

Dated at Washington, D.C., this 27th day of October 1970.

UNITED STATES ATOMIC
ENERGY COMMISSION,
W. B. McCool,
Secretary of the Commission.

[F.R. Doc. 70-14589; Filed, Oct. 28, 1970;
8:50 a.m.]

FEDERAL MARITIME COMMISSION

STATES STEAMSHIP CO. AND JOHNSON LINE

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 20 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 by:

R. H. Randolph, Rates and Conferences Department, States Steamship Co., 320 California Street, San Francisco, Calif. 94104.

Agreement No. 9277-1 modifies the basic agreement which covers a through billing arrangement for the movement of cargo from ports on the West Coast of India, West Pakistan, and Ceylon to ports in California, Oregon, and Washington, and British Columbia, Canada, with transshipment at Hong Kong and Japanese ports, by amending Article 1 thereof to include the trade to Hawaii within the scope of the agreement.

Dated: October 26, 1970.

By order of the Federal Maritime Commission,

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-14552; Filed, Oct. 28, 1970; 8:48 a.m.]

STATES STEAMSHIP CO. AND EVERETT ORIENT LINE, INC.

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 20 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 by:

R. H. Randolph, Rates and Conferences Department, States Steamship Co., 320 California Street, San Francisco, Calif. 94104.

Agreement No. 9276-1 modifies the basic agreement which covers a through billing arrangement for the movement of cargo from ports on the East Coast of India, East Pakistan, and Burma to ports in California, Oregon, and Washington, and British Columbia, Canada, with transshipment at Hong Kong and Japanese ports, by amending Article 1 thereof to include the trade to Hawaii within the scope of the agreement.

Dated: October 26, 1970.

By order of the Federal Maritime Commission,

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-14553; Filed, Oct. 28, 1970; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-7500 etc.]

PAN AMERICAN PETROLEUM CORP. ET AL.

Findings and Order

OCTOBER 20, 1970.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, substituting respondent, making successors co-respond-

ents, redesignating proceedings, making rate changes effective, accepting agreements and undertakings for filing, requiring filing of agreement and undertaking, and accepting related rate schedules and supplements for filing.

Each of the applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions, as supplemented and amended.

Applicants have filed related FPC gas rate schedules or supplements thereto and propose to initiate, abandon, add to or discontinue in part natural gas service in interstate commerce as indicated in the tabulation herein. All sales certified herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that initial sales from areas for which area rates have been determined are authorized to be made at or below the applicable area base rates adjusted for quality of the gas, and under the conditions prescribed in the orders determining said rates.

Mesa Petroleum Co. (Operator) et al., as applicant in Dockets Nos. G-18921 and G-19967, proposes to continue the sales of natural gas heretofore authorized in said dockets to be made pursuant to D. S. Marsalis, Agent, et al., FPC Gas Rate Schedules Nos. 7 and 3, respectively, and, as applicant in Docket No. G-19968, proposes to continue the sales of natural gas heretofore authorized in said docket to be made pursuant to D. S. Marsalis, Agent, et al., FPC Gas Rate Schedules Nos. 1 and 2. Said rate schedules will be redesignated as those of applicant. On July 6, 1970, D. S. Marsalis filed with the Commission two notices of changes in rate under each of his FPC Gas Rate Schedules Nos. 1, 2, 3, and 7. By orders issued July 29, 1970, the Commission suspended one each of the proposed changes under each rate schedule in Dockets Nos. RI71-70 and RI71-85. The changes in Docket No. RI71-70 are suspended until January 6, 1971, and thereafter until made effective and are designated as Supplements Nos. 3, 5, 5, and 11 to Marsalis' FPC Gas Rate Schedules Nos. 1, 2, 3, and 7, respectively. The changes in Docket No. RI71-85 were suspended until July 7, 1970, and thereafter until made effective and are designated as Supplements Nos. 2, 4, 4, and 10 to Marsalis' FPC Gas Rate Schedules Nos. 1, 2, 3, and 7, respectively. The changes suspended in Docket No. RI71-85 are for amounts which represent reimbursement for the increase in the Texas production tax. Since it was the Commission's intention in Docket No. R-370 to provide that the amounts representing tax reimbursement might be collected subject to refund after only a 1-day suspension, the changes suspended in

Docket No. RI71-85 will be made effective subject to refund as of July 7, 1970. Order No. 390, 42 FPC 836. Therefore, applicant will be substituted in lieu of Marsalis as respondent in the proceedings pending in Dockets Nos. RI71-70 and RI71-85; said proceedings will be redesignated accordingly; and the changes in rate suspended in Docket No. RI71-85 will be made effective subject to refund.

Terra Resources, Inc., applicant in Docket No. CI61-1659, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to CRA, Inc., FPC Gas Rate Schedule No. 22. Said rate schedule will be redesignated as that of applicant. The present rate under said rate schedule is in effect subject to refund in Docket No. RI67-186. Applicant has filed a motion to be made a co-respondent in said proceeding, together with an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding. Therefore, applicant will be made a co-respondent; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

Earlsboro Oil & Gas Co., Inc., Agent, et al., applicants in Docket No. CI70-1081, propose to continue in part the sale of natural gas heretofore authorized in Docket No. CI62-833 to be made pursuant to Chevron Oil Co., Western Division, FPC Gas Rate Schedule No. 32. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of applicants. The present rate under Chevron's rate schedule is in effect subject to refund in Docket No. RI68-712. Therefore, applicants will be made co-respondents in said proceeding; said proceeding will be redesignated accordingly; and applicants will be required to file an agreement and undertaking to assure the refund of any amounts collected by them in excess of the amount determined to be just and reasonable in said proceeding.

White Shield Oil and Gas Corp. (Operator) et al., applicant in Docket No. CI71-54, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-5337 to be made pursuant to Skelly Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 15. An instrument of ratification of the contract comprising said rate schedule will be accepted for filing as a rate schedule of applicant. The present rate under said rate schedule is in effect subject to refund in Docket No. RI70-691. Therefore, applicant will be made a co-respondent in said proceeding and said proceeding will be redesignated accordingly. Applicant has heretofore filed a general undertaking to assure the refund of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

B. J. Brown, applicant in Dockets Nos. CI71-65 and CI71-66, proposes to continue in part sales of natural gas heretofore authorized in Dockets Nos. CI66-176 and CI68-509, respectively, to be

made pursuant to Skelly Oil Co. FPC Gas Rate Schedule No. 210 and Texas Pacific Oil Co., Inc., FPC Gas Rate Schedule No. 91, respectively. The contracts comprising said rate schedules will also be accepted for filing as rate schedules of applicant. The present rates under Skelly's and Texas Pacific's rate schedules are in effect subject to refund in Dockets Nos. RI69-69 and RI69-43, respectively. Applicant indicates in his certificate applications that he intends to be responsible for the total refunds from the dates that the increased rates of his assignors became effective subject to refund, and he has submitted agreements and undertakings in Dockets Nos. RI69-43 and RI69-69 to assure such refunds. Therefore, applicant will be made a co-respondent in said proceedings; the proceedings will be redesignated accordingly; and the agreements and undertakings will be accepted for filing.

Texas Oil & Gas Corp., applicant in Docket No. CI71-74, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. CI62-388 to be made pursuant to William H. Allen et al., FPC Gas Rate Schedule No. 1. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of applicant. The present rate under said rate schedule is in effect subject to refund in Docket No. RI63-62 and applicant has filed a motion to be made a co-respondent in said proceeding. On January 5, 1970, William H. Allen et al., filed with the Commission a notice of change in rate under their FPC Gas Rate Schedule No. 1. By order issued January 28, 1970, in Docket No. RI70-1091, et al., the Commission suspended the proposed change in Docket No. RI70-1109 until July 5, 1970, and thereafter until made effective. The notice of change was designated as Supplement No. 2 to Allen's rate schedule. On August 6, 1970, as supplemented on August 18, 1970, Jack M. Allen et al., as successor to William H. Allen et al., filed a motion to make the change in rate effective subject to refund. Therefore, applicant will be made a co-respondent in the proceedings pending in Dockets Nos. RI63-62 and RI70-1109; said proceedings will be redesignated accordingly; and the suspended rate will be made effective subject to refund in Docket No. RI70-1109. Applicant has heretofore filed a general undertaking to assure the refund of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act. Jack M. Allen et al., have submitted an agreement and undertaking to assure their refunds.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER a notice of intervention by the Public Service Commission of the State of New York was filed in Docket No. CI70-1031, in the matter of the application filed on May 21, 1970.

The notice of intervention has been withdrawn and no other petitions to intervene, notices of intervention, or protests to the granting of any of the applications have been filed.

At a hearing held on October 15, 1970, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petitions, as supplemented and amended, and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission; and such sales by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The sales of natural gas by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned as hereinbefore described and as more fully described in the applications and in the tabulation herein are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(7) The abandonments proposed by applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to applicants relating to the abandonments hereinafter permitted

and approved should be terminated or that the orders issuing said certificates should be amended by deleting therefrom authorization to sell natural gas from the subject acreage.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Monterey Pipeline Co. should be made respondent in the proceeding pending in Docket No. AR69-1.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Mesa Petroleum Co. (Operator) et al., should be substituted in lieu of D. S. Marsalis, Agent, et al., as respondent in the proceedings pending in Dockets Nos. RI71-70 and RI71-85; that said proceedings should be redesignated accordingly; and that the changes in rate suspended in Docket No. RI71-85 should be made effective subject to refund.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Terra Resources, Inc., should be made a co-respondent in the proceeding pending in Docket No. RI67-186; that said proceeding should be redesignated accordingly; and that the agreement and undertaking submitted by Terra Resources, Inc., should be accepted for filing.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Earlsboro Oil & Gas Co., Inc., Agent, et al., should be made co-respondents in the proceeding pending in Docket No. RI68-712; that said proceeding should be redesignated accordingly; and that they should be required to file an agreement and undertaking.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that White Shield Oil and Gas Corp. (Operator) et al., should be made a co-respondent in the proceeding pending in Docket No. RI70-691 and that said proceeding should be redesignated accordingly.

(14) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that B. J. Brown should be made a co-respondent in the proceedings pending in Dockets Nos. RI69-43 and RI69-69, that said proceedings should be redesignated accordingly, and that the agreements and undertakings submitted by him should be accepted for filing.

(15) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Texas Oil & Gas Corp. should be made a co-respondent in the proceedings pending in Dockets Nos. RI63-62 and RI70-1109; that said proceedings should be redesignated accordingly; that the change in rate suspended in Docket No. RI70-1109 should be made effective subject to refund; and that the agreement and undertaking submitted by Jack M. Allen et al., in Docket No. RI70-1109 should be accepted for filing.

(16) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing sales by applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) The rate for the sale authorized in Docket No. CI69-187 shall be the applicable area base rate prescribed in Opinion No. 468, as modified for quality of gas, or the contract rate, whichever is lower. Within 45 days from the date of this order applicants in Dockets Nos. G-7500 and CI69-187 shall file three copies of a rate schedule quality statement in the form prescribed in Opinion No. 468-A.

(b) The initial rates for sales authorized in Dockets Nos. CI71-103, CI71-104, CI71-105, CI71-106, CI71-107, and CI71-108 shall be the applicable area base rates prescribed in Opinion No. 546, as modified by Opinion No. 546-A, as adjusted for quality of gas, or the contract rates, whichever are lower.

(c) If the quality of the gas delivered by applicants in Dockets Nos. CI69-187, CI71-103, CI71-104, CI71-105, CI71-106, CI71-107, and CI71-108 deviates at any time from the quality standards set forth

in Opinion No. 468, as modified by Opinion No. 468-A, and Opinion No. 546, as modified by Opinion No. 546-A, which ever are applicable, so as to require a downward adjustment of the existing rates, notices of changes in rates shall be filed pursuant to section 4 of the Natural Gas Act: *Provided, however,* That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of notices of changes in rates.

(d) In the event that applicant in Docket No. CI69-187 under section 3 of article II of the subject contract exercises its options to process the gas, applicant shall submit to the Commission for acceptance, not less than 30 nor more than 90 days prior to the commencement of such processing, a rate schedule supplement setting forth the terms and conditions of the contemplated actions.

(e) The authorization granted in Docket No. CI69-187 is conditioned upon any determination which may be made in the proceeding pending in Docket No. R-338 with respect to the transportation of liquefiable hydrocarbons.

(f) The initial rate for the sale authorized in Docket No. CI70-1031 shall be 16 cents per Mcf at 14.65 p.s.i.a.

(g) The initial rate for sales authorized in Dockets Nos. CI71-126 and CI71-127 shall be 15.384 cents per Mcf at 15.025 p.s.i.a. subject to B.t.u. adjustment not to exceed 2.2 cents per Mcf.

(h) Applicants in Dockets Nos. CI70-1031, CI71-36, CI71-126, and CI71-127 shall not require buyers to take-or-pay for an annual quantity of gas well gas which is in excess of an average of 1 Mcf per day for each 7,300 Mcf of determined gas well gas reserves or the specified contract quantities, which ever are the lesser amounts.

(E) Certificates of public convenience and necessity are issued in the following dockets authorizing Monterey Pipeline Co. to continue the sales of natural gas heretofore authorized to be made pursuant to Humble Gas Transmission Co. rate schedules, and the certificates heretofore issued to the predecessor are terminated.

New certificates	Predecessor's certificates
CI71-103	G-12932
CI71-104	CP61-290
CI71-105	G-15109
CI71-106	G-15110
CI71-107	CP62-27
CI71-108	G-10377

(F) The orders issuing certificates in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein to authorize service from the subject acreage:

Amend to delete acreage	New certificates
G-5337	CI71-54
CI60-614	CI71-72
CI62-368	CI71-74
CI62-833	CI70-1061
CI63-169	CI71-96
CI66-176	CI71-65
CI68-509	CI71-66

(G) The orders issuing certificates in Dockets Nos. G-7500, G-10367, G-11569, CI63-572, CI69-187, and CI69-1163 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(H) The order issuing a certificate in Docket No. CI63-572 is amended to reflect the change in name from Arthur N. Rupe, doing business as Artex Oil Co. to Arthur N. Rupe and the related rate schedule is redesignated accordingly. Applicant shall file three copies of a billing statement for the first month's service as required by the regulations under the Natural Gas Act.

(I) The orders issuing certificates in Dockets Nos. G-18921, G-19967, G-19968, CI61-1659, and CI63-138 are amended to reflect the successors in interest as certificate holders.

(J) Permission for and approval of the abandonment of service by applicants, as hereinbefore described, all as more fully described in the applications and in the tabulation herein are granted.

(K) The certificates heretofore issued in Dockets Nos. G-7087, G-17456, and CI67-1691 are terminated.

(L) Monterey Pipeline Co. is made a respondent in the proceeding pending in Docket No. AR69-1.

(M) Mesa Petroleum Co. (Operator) et al., is substituted in lieu of D. S. Marsalis, Agent, et al., as respondent in the proceedings pending in Dockets Nos. RI71-70 and RI71-85 and said proceedings are redesignated accordingly. The rates, charges, and classifications set forth in Supplements Nos. 2, 4, 4, and 10 to Mesa Petroleum Co. (Operator) et al., FPC Gas Rate Schedules Nos. 41, 42, 43, and 44, respectively (formerly D. S. Marsalis, Agent, et al., FPC Gas Rate Schedules Nos. 1, 2, 3, and 7), shall be effective subject to refund as of July 7, 1970. Mesa Petroleum Co. shall charge and collect the following rates per Mcf at 14.65 p.s.i.a.:

FPC gas rate schedule No.	From February 24, 1969, through July 6, 1970		From July 7, 1970, subject to refund in Docket No. RI71-85	
	Cents		Cents	
41	16.5	16.5	16.5	16.5
42	15.5	15.5	15.5	15.5
43	15.5	15.5	15.5	15.5
44	17.0	17.0	17.0	17.0

Mesa Petroleum Co. shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(N) Terra Resources, Inc., is made a co-respondent in the proceeding pending in Docket No. RI67-186; said proceeding is redesignated accordingly; and the agreement and undertaking submitted by Terra Resources, Inc., in said proceeding is accepted for filing. Terra

Resources, Inc., shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(O) Earlboro Oil & Gas Co., Inc., Agent, et al., are made co-respondents in the proceeding pending in Docket No. RI68-712 and said proceeding is redesignated accordingly. They shall comply with the refunding procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder.

(P) Within 30 days from the date of this order, Earlboro Oil & Gas Co., Inc., Agent, et al., shall execute in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI68-712 to assure the refund of any amounts collected by them, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(Q) White Shield Oil and Gas Corp. (Operator) et al., is made a co-respondent in the proceeding pending in Docket No. RI70-691 and said proceeding is redesignated accordingly. White Shield shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(R) B. J. Brown is made a co-respondent in the proceedings pending in Dockets Nos. RI69-43 and RI69-69, said proceedings are redesignated accordingly, and the agreements and undertakings submitted by him in said proceed-

ings are accepted for filing. B. J. Brown shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreements and undertakings shall remain in full force and effect until discharged by the Commission.

(S) Texas Oil & Gas Corp. is made a co-respondent in the proceedings pending in Dockets Nos. RI63-62 and RI70-1109; said proceedings are redesignated accordingly; and the agreement and undertaking submitted in Docket No. RI70-1109 by Jack M. Allen et al., is accepted for filing. The rates, charges, and classifications set forth in Supplement No. 2 to William H. Allen et al., FPC Gas Rate Schedule No. 1 shall be effective subject to refund as of August 6, 1970, with respect to sales made pursuant to said rate schedule and pursuant to Texas Oil & Gas Corp. FPC Gas Rate Schedule No. 67. Texas Oil & Gas Corp. shall charge and collect the rate of 18.1 cents per Mcf at 14.65 p.s.i.a., subject to refund in Docket No. RI63-62, for sales from March 16, 1970, through August 5, 1970, and the rate of 19.3 cents per Mcf at 14.65 p.s.i.a., subject to refund in Docket No. RI70-1109, for sales from August 6, 1970. Jack M. Allen et al., and Texas Oil & Gas Corp. shall comply with the refunding procedure required by Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking filed by Jack M. Allen et al., in Docket No. RI70-1109 shall remain in full force and effect until discharged by the Commission.

(T) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as described in the tabulation herein.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No. Supp.
G-7500 (CS68-40) C 4-21-70	Pan American Petroleum Corp.	El Paso Natural Gas Co., Spraberry Field, Reagan County, Tex.	Assignment 11-4-69 ¹	129 42
G-10367 (CS68-1) D ³	Humble Oil & Refining Co.	El Paso Natural Gas Co., South Andrews Field, Andrews County, Tex.	Assignment 5-20-70 ⁴ Assignment 6-2-70 ⁵ Effective date: 6-1-70	116 20 116 1 to 20
G-11599 D 7-6-70 ⁶	Murphy H. Baxter (Operator) et al.	Phillips Petroleum Co., Azalea Field, Midland County, Tex.	Supplemental agreement 3-9-70 ⁷ Notice of partial cancellation 7-2-70 ⁸	2 4 2 1 to 4 44
G-19921 E 7-27-70	Mesa Petroleum Co. (Operator) et al. (successor to D. S. Marsalis, agent et al.)	Transwestern Pipelines Co., Morrow Field et al., Ochiltree and Roberts Counties, Tex.	D. S. Marsalis, Agent et al., FPC GRS No. 7, Supplement No. 1-11 Notice of succession 7-23-70 Assignment 2-24-69 ⁹ Assignment 2-24-69 ¹⁰ Effective date: 2-24-69	44 1-11 44 11 44 13

Filing code: A--Initial service.
B--Abandonment.
C--Amendment to add acreage.
D--Amendment to delete acreage.
E--Succession.
F--Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Description and date of document	No. Supp.	Docket No. and date filed	Applicant	Purchaser, field, and location	Description and date of document	No. Supp.
G-1997 E 7-27-70	do	Northern Natural Gas Co., Morrow Field, Hansford County, Tex.	D. S. Marshall, Agent et al., FPC GRS No. 3, Supplement No. 1-5, Notice of succession 7-25-70, Assignment 3-24-69, Effective date 3-24-69	43	CIT-106 (C103-109) F 7-31-70	Franks Petroleum, Inc. (successor to The California Co., a division of Chevron Oil Co.),	Texas Eastern Transmission Corp., West Bryonah Field, Blountville Parish, La.	Contract 5-1-63, Letter agreement 5-1-62, Amended agreement 3-25-70, Farmout agreement 3-25-70, Notice of succession 7-29-70	14 14 14 1
G-1998 E 7-27-70	do	do	D. S. Marshall, Agent et al., FPC GRS No. 1, Supplement No. 1-5, Notice of succession 7-25-70, Assignment 3-24-69, Effective date 3-24-69	41	CIT-107 (G-15100) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-10, Notice of succession 7-24-70	3 3 5
G-1999 E 7-27-70	do	do	D. S. Marshall, Agent et al., FPC GRS No. 2, Supplement No. 1-5, Notice of succession 7-25-70, Assignment 3-24-69, Effective date 3-24-69	42	CIT-108 (G-15101) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-5, Notice of succession 7-29-70	3 3 3
C101-1030 E 6-8-70	Terra Resources, Inc. (successor to C.R.A. Inc.),	Michigan Wisconsin Pipe Line Co., North-ant (Oshtoke) Field, Beaver County, Okla.	C.R.A., Inc., FPC GRS No. 2, Supplement No. 1-5, Notice of succession 6-1-70, Assignment 3-26-70, Effective date 3-1-70	22	CIT-109 (G-15102) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C102-128 E 8-6-70	Lawrence Teak (successor to Oak, Inc.),	United Fuel Gas Co., acreage in Levey, Clay, Glinner, and Liberton Counties, W. Va.	Supplement No. 1-5, Notice of succession 8-4-70, Assignment 10-1-68, Effective date 10-1-68, Letter agreement 7-10-70 (Parties to Contract No. 5880),	3	CIT-110 (G-15103) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C103-277 C 8-23-70	Arthur N. Hoyle (successor to J. B. Hoyle Oil Co.),	Equitable Gas Co., acreage in Levey, Clay, Glinner, and Liberton Counties, W. Va.	Letter agreement 12-3-68, Assignment 6-19-70, Compliance 7-2-70, Contract 12-4-61, Assignment 12-25-69, Assignment 2-12-70, Contract 7-29-70, Letter 8-13-70	2	CIT-111 (G-15104) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C104-187 C 6-25-70	Mechanic Co.,	Texas Eastern Pipeline Co., Rock Tank, Morrow Field, Eddy County, N. Mex.	Assignment 6-19-70, Compliance 7-2-70, Contract 12-4-61, Assignment 12-25-69, Assignment 2-12-70, Contract 7-29-70, Letter 8-13-70	95	CIT-112 (G-15105) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C105-1163 C 8-12-70	Southern Union Production Co. (Operator) et al.	Arkansas Louisiana Gas Co., Deep Well, Grove Springs Field, Gregg County, Tex.	Assignment 6-19-70, Compliance 7-2-70, Contract 12-4-61, Assignment 12-25-69, Assignment 2-12-70, Contract 7-29-70, Letter 8-13-70	26	CIT-113 (G-15106) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C170-1031 A 5-21-70	Richard Wynn,	United Gas Pipe Line Co., West Rossall Area, Devel County, Tex.	Contract 7-29-70, Letter 8-13-70	1	CIT-114 (G-15107) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C170-1081 (C102-803) F 6-3-70	Earldown Oil & Gas Co., Inc., Agent et al. (Successor to Chevron Oil Co., Western Division),	Levee Star Gas Co., East Durant Field, Bryan County, Okla.	Contract 7-29-70, Letter 8-13-70	1	CIT-115 (G-15108) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C171-26 A 7-17-70	Swan Oil Co.,	Mid Louisiana Gas Co., Malone Field, Adams County, Miss.	Contract 7-29-70, Letter 8-13-70	1	CIT-116 (G-15109) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C171-54 (G-15507) F 7-25-70	White Shield Oil & Gas Corp. (Operator) et al. (Successor to Steady Oil Co. (Operator) et al.),	Texas Gas Transmission Corp., Carthage Field, Fandis County, Tex.	Contract 7-29-70, Letter 8-13-70	1	CIT-117 (G-15110) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C171-65 (G106-110) F 7-25-70	B. J. Brown (Successor to Skelly Oil Co. (Operator) et al.),	Arkansas Louisiana Gas Co., Chilleville Field, Logan County, Ark.	Contract 7-29-70, Letter 8-13-70	9	CIT-118 (G-15111) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C171-66 (C106-389) F 7-25-70	B. J. Brown (Successor to Texas Pacific Oil Co., Inc.),	Arkansas Louisiana Gas Co., Chilleville Field, Logan County, Ark.	Contract 7-29-70, Letter 8-13-70	8	CIT-119 (G-15112) E 8-3-70	Humble Oil & Refining Co.,	Humble Oil & Refining Co., Humble Field, Boone County, W. Va.	Contract 7-29-70, Amended 1-1-60, Amended 1-29-55, Amended 3-7-65, Amended 9-19-69, Amended 10-28-69, Amended 3-13-70, Amended 4-12-70, Amended 4-22-70, Amended 8-21-70	37 37 37 37 37 37 37 37 37
C171-72 (C106-444) F 7-25-70	Texas Oil & Gas Corp. (Successor to Cab-Bay Petroleum Corp.),	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Contract 7-29-70, Letter 8-13-70	70	CIT-120 (G-15113) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3
C171-74 (C106-388) F 7-25-70	Texas Oil & Gas Corp. (Successor to Jack M. Allen et al.),	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Moccasin Field, Beaver County, Okla.	Contract 7-29-70, Letter 8-13-70	67	CIT-121 (G-15114) E 8-3-70	do	do	Assignment 4-24-70, Assignment 4-27-70, Effective date 3-31-70, Humble Gas Transmission Co. FPC GRS No. F-4, Notice of succession 7-29-70	3 3 3

See footnotes at end of table.

[Docket No. CP71-85]

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No. Supp.
CI71-125..... (G-17456) B 8-10-70	Union Oil Co. of California	United Gas Pipe Line Co., Tri Channel Field, Nueces County, Tex.	Notice of cancellation 8-7-70. ^{1,2}	33 2
CI71-126..... A 8-11-70 *	Continental Oil Co. ³	Kansas-Nebraska Natural Gas Co., Inc., Wind River Basin, Riverton East Field, Fremont County, Wyo. (Nugget Gas).	Contract 7-27-70 (No. 7623)	358
CI71-126..... A 8-11-70 *	do. ⁴	Montana-Dakota Utilities Co., Wind River Basin, Riverton East Field, Fremont County, Wyo. (Nugget Gas).	Contract 7-27-70 (No. 7623)	359
CI71-127..... A 8-11-70 *	do. ⁴	Kansas-Nebraska Natural Gas Co., Inc., Wind River Basin, Riverton East Field, Fremont County, Wyo. (Phosphoria Gas).	Contract 7-28-70 (No. 7624)	360
CI71-127..... A 8-11-70 *	do. ⁴	Montana-Dakota Utilities Co., Wind River Basin, Riverton East Field, Fremont County, Wyo. (Phosphoria Gas).	Contract 7-28-70 (No. 7624)	361
CI71-135..... A 8-12-70	Cameron Oil & Gas Co.	Cumberland and Allegheny Gas Co., Buckhannon and Washington Districts, Upshur County, W. Va.	Contract 7-31-70 (No. 418) Effective date: 7-27-70 ⁵	10

¹ From The Midland National Bank, Trustee to Applicant.² Effective dates: Feb. 1, 1969 (Tract 1 and the L. C. Proctor Well No. 2) and Aug. 24, 1966 (Tract 2 and the L. C. Proctor Well No. 3).³ No certificate filing made or necessary, however, the certificate in Docket No. G-10367 will be amended to reflect the transfer of interest to a small producer.⁴ Humble assigns interest in certain acreage to Amin Oil Corp. who was issued a small producer certificate in Docket No. C868-1.⁵ Amin reassigned most of the acquired interest to Humble, resulting in a net deletion of a small portion of interest in acreage by Humble.⁶ Application originally filed in Docket No. G-14181 which is a suspension proceeding.⁷ Provides for deletion of acreage, extension of contract term and for rate increase, extension of term (Supp. No. 4 to FPC GRS No. 2) and rate increase (Supp. No. 5 to FPC GRS No. 2) previously accepted by letter dated July 10, 1970.⁸ Deletes acreage under Supplemental agreement dated Mar. 9, 1970 (Supp. No. 4 to FPC GRS No. 2), service never commenced from nonproductive acreage.⁹ Effective date: Date of this order.¹⁰ From D. S. Marsalis and/or D. S. Marsalis, Operator and/or Agent, to Mesa Petroleum Co.¹¹ From Weldon Howell and/or Weldon Howell, Operator and/or Agent, to Mesa Petroleum Co.¹² Application amended Aug. 20, 1970 to provide for rate of 19.5 cents in lieu of 20.540 cents originally filed for.¹³ Corrects filing submitted Aug. 11, 1970 to reflect addition of acreage rather than succession. By letter dated Aug. 11, 1970, Applicant advised that the name of Arthur N. Rupe, d.b.a. Artex Oil Co. should be changed to Arthur N. Rupe.¹⁴ Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).¹⁵ By letter filed June 25, 1970, Applicant states willingness to accept permanent authorization containing Option No. 408 and 468-A conditions. By letter filed Sept. 4, 1970, Applicant agreed to make possible transportation of liquefiable hydrocarbons subject to the ultimate disposition of the proceeding in Docket No. R-338.¹⁶ Assigns acreage from Robert Cargill (which has never been certificated) to Applicant.¹⁷ Complies with temporary certificate issued June 11, 1970. Applicant states willingness to accept a permanent certificate containing the same conditions as its temporary certificate.¹⁸ Filing filed Aug. 10, 1970, construed as an amendment to the application wherein applicant states willingness to accept permanent authorization at a rate of 17.9 cents in lieu of 19 cents.¹⁹ On file as Chevron Oil Co., Western Division FPC GRS No. 32.²⁰ Assigns acreage from Chevron to Earlboro.²¹ Assigns acreage from Earlboro to "et al." parties.²² Successor to Humble Gas Transmission Co.²³ Applicant agrees to accept a permanent certificate containing the same conditions as its temporary certificate issued Aug. 6, 1970.²⁴ Currently on file as Skelly Oil Co. (Operator) et al., FPC GRS No. 15.²⁵ From Skelly Oil Co. to applicant and Marshall Exploration, Inc.²⁶ Currently on file as Skelly Oil Co. (Operator) et al., FPC GRS No. 210.²⁷ From Skelly Oil Co. to applicant.²⁸ Currently on file as Texas Pacific Oil Co., Inc., FPC GRS No. 91.²⁹ From Texas Pacific Oil Co., Inc., to applicant.³⁰ Currently on file as Cal-Ray Petroleum Corp., FPC GRS No. 1.³¹ From Cal-Ray Petroleum Corp. et al., to applicant.³² Currently on file as William H. Allen et al., FPC GRS No. 1.³³ From Jack M. Allen et al. (successor to William H. Allen) to applicant.³⁴ Between The California Co., a division of Chevron Oil Co. and the buyer; also on file as The California Co.'s FPC GRS No. 29.³⁵ From The California Co. to applicant. Accepted and agreed to by applicant Mar. 25, 1970.³⁶ Successor in interest to Humble Gas Transmission Co.³⁷ Sheets Nos. 48-80 of Humble Gas Transmission Co. FPC Gas Tariff Original Volume No. 3.³⁸ Assigns acreage from Humble Gas Transmission Co. to Humble Oil & Refining Co.³⁹ Assigns acreage from Humble Oil & Refining Co. to Monterey Pipeline Co.⁴⁰ Sheets Nos. 224-255 of Humble Gas Transmission Co. FPC Gas Tariff Original Volume No. 3.⁴¹ Sheets Nos. 81-109 of Humble Gas Transmission Co. FPC Gas Tariff Original Volume No. 3.⁴² Sheets Nos. 110-152 of Humble Gas Transmission Co. FPC Gas Tariff Original Volume No. 3.⁴³ Sheets Nos. 256-293 of Humble Gas Transmission Co. FPC Gas Tariff Original Volume No. 3.⁴⁴ Sheets Nos. 1-47 of Humble Gas Transmission Co. FPC Gas Tariff Original Volume No. 3.⁴⁵ Source of gas depleted.⁴⁶ Production of gas no longer economically feasible.⁴⁷ Newburg Sand production only.⁴⁸ Application to sell Nugget Formation gas pursuant to a contract dated July 27, 1970, between Applicant and Kansas-Nebraska and Montana-Dakota. Applicant requested a separate rate schedule for each buyer.⁴⁹ Applicant agrees to accept a permanent certificate at the initial rate of 15.884 cents per Mcf plus Btu adjustment not to exceed 2.2 cents per Mcf.⁵⁰ Application to sell Phosphoria Formation gas pursuant to a contract dated July 28, 1970, between Applicant and Kansas-Nebraska and Montana-Dakota. Applicant requested a separate rate schedule for each buyer.⁵¹ Date of order issued in Docket No. CI70-1640 which authorized Applicant to abandon sale of the subject gas to an intermediate party (Transcoastal Oil and Gas Corp.), and required Applicant to submit the subject application for authorization to sell directly to Cumberland and Allegheny Gas Co.

[F.R. Doc. 70-14492; Filed, Oct. 28, 1970; 8:45 a.m.]

TEXAS GAS TRANSMISSION CORP. Notice of Application

OCTOBER 22, 1970.

Take notice that on September 30, 1970, Texas Gas Transmission Corp. (applicant), Post Office Box 1160, Owensboro, Ky. 42301, filed in Docket No. CP71-85 an application pursuant to sections 7 (b) and (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities, and for permission and approval to abandon certain facilities used in the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transfer an existing 1,320-horsepower compressor unit presently installed in applicant's Haughton Compressor Station, relocating it at applicant's Guthrie Compressor Station to replace a 1,600-horsepower unit that was installed in 1943 and which is now obsolete and will be abandoned. Applicant states that the reduction of 280 horsepower at Guthrie will not affect applicant's ability to render service. This transfer will effectively close applicant's Haughton Compressor Station, which applicant proposes to abandon. Applicant states that with the gas supply from the Carthage Field in Texas diminishing and with the producers furnishing compression sufficient to move gas from the Silgo Field in Louisiana, compression at Haughton is not needed.

Applicant further proposes to utilize two 1,100-horsepower compressor units presently installed in applicant's Sharon, La., Compressor Station for relocation at the new Eunice Compressor Station to enable the applicant to take into its pipeline system additional volumes of gas from various fields southwest of Eunice, La. Applicant states that without the installation of the additional compression at Eunice, applicant may not be able to take the maximum contract quantities from these fields which are needed to supply its customers during the 1970-71 heating season. Applicant further states that the abandonment of two 1,100-horsepower compressor units at Sharon will not impair applicant's ability to provide service to its customers.

Applicant states that the utilization of the existing compressor units will result in substantial savings to applicant. Applicant estimates that the cost of the proposed facilities is \$893,300, to be initially financed through funds from retained earnings or temporary borrowings or a combination of both.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 16, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the

regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and/or permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-14514; Filed, Oct. 28, 1970;
8:45 a.m.]

FEDERAL RESERVE SYSTEM

SOUTHEAST BANCORPORATION, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (3)), by Southeast Bancorporation, Inc., which is a bank holding company located in Miami, Fla., for prior approval by the Board of Governors of the acquisition by applicant of 80 percent or more of the voting shares of First Bank & Trust Company of Jacksonville, Jacksonville, Fla.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the

probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors,
October 23, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-14517; Filed, Oct. 28, 1970;
8:45 a.m.]

SOUTHWEST BANCSHARES, INC.

Order Approving Action To Become a Bank Holding Company

In the matter of the application of Southwest Bancshares, Inc., Houston, Tex., for approval of action to become a bank holding company.

There has come before the Board of Governors, pursuant to section 3(a) (1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (1)), and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Southwest Bancshares, Inc., Houston, Tex., for the Board's prior approval of action whereby Applicant would become a bank holding company through the merger of Bank of the Southwest National Association, Houston, Tex., into a nonoperating bank of which applicant owns all but directors' qualifying shares, and, as an incident to the merger, acquisition of beneficial ownership of shares of seven other Texas banks, as follows: South Park National Bank of Houston, (33.5 percent); Commercial State Bank, Houston (20.3 percent); Gulf Coast National Bank, Houston (19.1 percent); Western National Bank of Houston (16.9 percent); Long Point National Bank of Houston (14.7 percent); The First National Bank of Longview (22.1 percent); and The Kilgore National Bank, Kilgore (24.7 percent).

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 the Texas Commissioner of Banking, and requested their views and recommendations. Both recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on July 30, 1970 (35 F.R. 12240), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. 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 acquisition 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 period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,²
October 22, 1970.

KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-14516; Filed, Oct. 28, 1970;
8:45 a.m.]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

WESTMORELAND COAL CO.

Applications for Renewal Permits; Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Interim Mandatory Dust Standard (3.0 mg./m.³) have been accepted for consideration as follows:

(1) ICP Docket No. 10650, Westmoreland Coal Co., Crossbrook, "A" Mine, USBM ID NO. 44 00295 0, Osaka, Wise County, Va., Section ID No. 001 (No. 2 Mains, No. 1 Left).

(2) ICP Docket No. 10652, Westmoreland Coal Co., Pine Branch No. 1 Mine, USBM ID NO. 44 00298 0, Dunbar, Wise County, Va., Section ID No. 002 (No. 2 North—No. 2 Right). Section ID No. 003 (No. 5 South Headings).

In accordance with the provisions of section 202(b) (4) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 743, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the Panel on request.

A copy of the application is available for inspection and requests for public

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 Dallas.

² Voting for this action: Chairman Burns, and Governors Robertson, Mitchell, Daane, Maisel, Brimmer, and Sherrill.

hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Suite 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

OCTOBER 23, 1970.

[F.R. Doc. 70-14526; Filed, Oct. 28, 1970;
8:46 a.m.]

WESTMORELAND COAL CO. ET AL.

Applications for Renewal Permits; Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Interim Mandatory Dust Standard (3.0 mg./m.³) have been accepted for consideration as follows:

(1) ICP Docket No. 10646, Westmoreland Coal Co., Wentz Mine No. 2, USBM ID No. 44 01696 0, Stonega, Wise County, Va., Section ID No. 001 (7 Main East).

(2) ICP Docket No. 10745, A & D Coal Co., Mine No. 4, USBM ID No. 46 01665 0, Jaeger, McDowell County, W. Va., Section ID No. 001 (4 Mains).

(3) ICP Docket No. 10746, Ivy Coal Co., No. 1 Mine, USBM ID No. 46 00644 0, Jaeger, McDowell County, W. Va., Section ID No. 001 (3 Main).

(4) ICP Docket No. 10748, Iris Coal Co., No. 10 Mine, USBM ID No. 46 01496 0, Bradshaw, McDowell County, W. Va., Section ID No. 001 (3 Mains).

(5) ICP Docket No. 10749, Sherman Coal Co., Mine No. 1, USBM ID No. 46 01693 0, Jaeger, McDowell County, W. Va., Section ID No. 001 (4 Main).

In accordance with the provisions of section 202(b)(4) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the Panel on request.

A copy of the application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Suite 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

OCTOBER 26, 1970.

[F.R. Doc. 70-14527; Filed, Oct. 28, 1970;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

OCTOBER 22, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 23, 1970, through November 1, 1970, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 70-14525; Filed, Oct. 28, 1970;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Amendment No. 1 to Declaration of Disaster
Loan Area 791]

PUERTO RICO AND VIRGIN ISLANDS

Amendment to Declaration of Disaster Loan Area

Declaration of Disaster Loan Area 791 dated October 9, 1970, for Puerto Rico, is hereby amended as follows:

1. By adding "and Virgin Islands" after "Puerto Rico" in the caption thereof.

2. By adding "and the Islands of St. Thomas and St. Johns in the Virgin Islands" at the end of the first whereas clause.

3. In paragraph No. 1, line 4, delete the word "Island" and substitute "Islands" after the word "aforesaid."

Dated: October 16, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-14528; Filed, Oct. 28, 1970;
8:46 a.m.]

[Declaration of Disaster Loan Area 792]

OKLAHOMA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of October 1970, be-

cause of the effects of certain disasters, damage resulted to residences and business property located in Murray County, Okla.;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid County, suffered damage or destruction resulting from floods occurring on October 8, 1970.

OFFICE

Small Business Administration District Office,
30 North Hudson, Oklahoma City, Okla.
73102.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to April 30, 1971.

Dated: October 15, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-14529; Filed, Oct. 28, 1970;
8:46 a.m.]

[Delegation of Authority 30-B (Region V)
Amdt. 3]

REGIONAL DIVISION CHIEFS ET AL., REGION V

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30-B, 34 F.R. 19842 dated December 18, 1969, as amended 35 F.R. 1073, dated January 27, 1970, Delegation of Authority 30-B (Region V), 35 F.R. 4155, dated March 5, 1970, as amended by 35 F.R. 6095 dated April 14, 1970, and by 35 F.R. 10535 dated June 27, 1970, is hereby further amended by adding Item IV-D to read as follows:

IV-D. Cincinnati, Ohio—A. Financing Program. 1. To approve or decline business loans not exceeding \$100,000 (SBA share) and economic opportunity loans not exceeding \$25,000 (SBA share).

2.a. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (1) \$50,000 per household for repairs or replacement of the home and/or not to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed \$55,000

for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to \$50,000; and (2) \$100,000 on disaster business loans (excluding displaced business loans), except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to \$100,000 and to decline them in any amount.

b. To approve or decline displaced business loans up to \$100,000 (SBA share).

3. To enter into business, economic opportunity, disaster, and displaced business loan participation agreements with banks.

4. To execute loan authorizations for Central Office and regional approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By _____
(Name)
Title of person signing.

5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, disaster, and displaced business loans.

6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

7. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

8. Reserved.

9. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

B. *Community Economic Development Program.* 1. Reserved.

2. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

3. Reserved.

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To enter into section 502 loan participation agreements with banks.

6. Reserved.

7. Reserved.

8. To disburse approved EDA loans, as authorized.

C. *Loan Administration Program.* 1. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation", and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor,

licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Reserved.

e. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement, (3) to authorize the liquidation of a loan or (4) to cancel authority to liquidate.

2. Reserved.

3. Reserved.

4. Reserved.

D. *Procurement and Management Assistance Program (Reserved).*

E. *Administrative (Reserved).*

F. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies.

G. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financing purposes only. Product classification decisions for procurement purposes are made by contracting officers.

V. The specific authority delegated herein, indicated by double asterisk (**), cannot be redelegated.

VI. The authority delegated herein to a specific position may be exercised by an SBA employee designated as acting in that position.

Effective date: September 16, 1970.

ROBERT A. DWYER,
Regional Director, Region V.

[P.R. Doc. 70-14530; Filed, Oct. 28, 1970; 8:47 a.m.]

[Delegation of Authority No. 30-C, Oklahoma City Disaster No. 790]

MANAGER OF DISASTER BRANCH OFFICE; SHAWNEE, OKLA.

Delegations Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the District Director by Delegation of

Authority No. 30-C, 35 F.R. 5440, the following authority is hereby redelegated to the positions as indicated herein:

A. *Manger, Shawnee Disaster Branch Office.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) \$50,000 per household for repairs or replacement of the home and/or not to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned exceed \$55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to \$50,000; and (b) \$350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; to approve disaster guaranteed loans up to \$350,000, and to decline disaster guaranteed loans in any amount.

2. To execute loan authorizations for Central, Regional and District Office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By _____
Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein to a specific position may be exercised by an SBA employee designated as acting in that position.

Effective date: October 9, 1970.

E. BRUCE CAFKY,
District Director,
Oklahoma City District Office.

[P.R. Doc. 70-14531; Filed, Oct. 28, 1970; 8:47 a.m.]

[Delegation of Authority No. 4 (Rev. 2) Amdt. 1]

ASSOCIATE ADMINISTRATOR FOR FINANCIAL ASSISTANCE

Delegation on Financial Assistance

Delegation of Authority No. 4, Revision 2 (35 F.R. 13234), is hereby amended by revising Items I.A., I.C., and I.M. thereof to read as follows:

I. * * *

A. To approve or decline business, trade adjustment, coal mine health and safety, disaster, displaced business, development company and economic opportunity loan applications, including reconsiderations thereof, and to execute authorizations and modifications pertaining to such loans, but is not authorized to declare the nonapplicability of eligibility limitations to a community

emergency as set forth in section 120.2 (e) of SBA Loan Policy Regulations.

C. To determine eligibility of loan and lease guarantee applicants.

M. To make size determinations for the purposes of the loan and lease guarantee programs.

Effective date, September 22, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-14532; Filed, Oct. 28, 1970;
8:47 a.m.]

EQUAL OPPORTUNITY FINANCE, INC.

Notice of Issuance of Small Business Investment Company License

On July 30, 1970, a notice was published in the FEDERAL REGISTER (35 F.R. 12243) stating that Equal Opportunity Finance, Inc., 1202 South Third Street, Louisville, Ky. 40201, had filed an application with the Small Business Administration, pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR Part 107, 33 F.R. 326), for a license to operate as a minority enterprise small business investment company (MESBIC).

Interested parties were given to the close of business August 10, 1970, to submit written comments to SBA. No comments were received.

Notice is hereby given that, having considered the application and all other pertinent information, SBA has issued License No. 05/05-5096 to Equal Opportunity Finance, Inc., pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended.

A. H. SINGER,
Associate Administrator
for Investment.

OCTOBER 12, 1970.

[F.R. Doc. 70-14533; Filed, Oct. 28, 1970;
8:47 a.m.]

AMCO CAPITAL CORP.

Notice of Surrender of License To Operate as a Small Business Investment Company

Notice is hereby given that AMCO Capital Corp., San Francisco, Calif., incorporated on June 26, 1961, under the laws of the State of California, has surrendered its license (No. 12-0040), issued by the Small Business Administration on August 17, 1961.

Under the authority vested by the Small Business Investment Act of 1958, as amended, and pursuant to the regulations promulgated thereunder, the surrender of the license of AMCO Capital Corp. is hereby accepted and it is no longer licensed to operate as a small business investment company.

A. H. SINGER,
Associated Administrator
for Investment.

OCTOBER 12, 1970.

[F.R. Doc. 70-14534; Filed, Oct. 28, 1970;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 98]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

OCTOBER 23, 1970.

The following applications are governed by Special Rule 247¹ of the Commission's general rules of practice (49 CFR 1100.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 2860 (Sub-No. 85) (Correction), filed September 29, 1970, published in the FEDERAL REGISTER issue of October 22, 1970, and republished in part, as corrected, this issue. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Robert W. Gerson, 1201 Commerce Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials, building wall and insulating board, asphalt and asbestos, asphalt and asbestos products and materials, plastic products and materials, and materials, supplies, and equipment used in connection with the production, distribution and installation of the above commodities (except commodities in bulk).* NOTE: The purpose of this partial republication is to redescribe the commodity description, a portion of which was inadvertently omitted in the previous publication. The rest of the application remains as previously published.

No. MC 11294 (Sub-No. 8), filed September 30, 1970. Applicant: INDUSTRIAL CITY LINES, INC., 814 North Third Street, St. Joseph, Mo. 64501. Applicant's representative: John E. Jandera, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Boxes and containers, from St. Joseph, Mo., to points in Emporia, Kans., under contract with Mead Containers, a division of the Mead Corp. of Dayton, Ohio.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 16503 (Sub-No. 6), filed October 5, 1970. Applicant: JOHN L. GUEX, Box 359, Shawano, Wis. 54166. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses and in connection therewith, equipment, materials, and supplies used in the conduct of such business, from points in Illinois and Minnesota, to Menominee, Mich., under a continuing contract with Carpenter-Cook Co., Menominee, Mich.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 29537 (Sub-No. 4) (Clarification), filed September 10, 1970, published in the FEDERAL REGISTER issue of October 1, 1970, clarified and republished, in part, this issue. Applicant: RUSSELL H. CRAWFORD, doing business as R. H.

CRAWFORD, 124 South Madison Street, Hanover, Pa. 17331. Applicant's representative: John M. Musselman, Post Office Box 1146, 400 North Third Street, Harrisburg, Pa. 17108. The purpose of this partial republication is to reflect points in New Jersey on and north of New Jersey Highway 33, in lieu of points in New Jersey on the north of New Jersey Highway 33 in part (1)(a) of previous publication. The rest of the application remains as previously published.

No. MC 30107 (Sub-No. 2), filed September 27, 1970. Applicant: EARIE HELM AND KENNETH S. HELM, a partnership, doing business as HELM BROS., Rural Delivery No. 4, Easton, Pa. 18042. Applicant's representative: Kenneth S. Helm (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beater mill aggregate*, in bulk, from Newton, N.J., to Mount Bethel, Pa. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 30144 (Sub-No. 4), filed September 18, 1970. Applicant: GEORGE W. JEWETT & SON, INC., East Baldwin, Maine 04024. Applicant's representative: David R. Hastings, II, 8 Portland Street, Fryeburg, Maine 04037. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, using heated and refrigerated equipment, specially designed and equipped, between plantsites of H. P. Hood & Sons at Portsmouth, N.H., and Portland, Maine, and returned empty containers, on return, under contract with H. P. Hood & Sons. Note: If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Portsmouth, N.H.

No. MC 35320 (Sub-No. 121), filed October 1, 1970. Applicant: T.I.M.E.-DC, 2598 74th Street, Post Office Box 2550, Lubbock, Tex. 79408. Applicant's representatives: W. D. Benson, Post Office Box 6723, Lubbock, Tex. 79413, and Frank M. Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, livestock, gasoline, coal, sand and gravel, Portland cement, articles of unusual value, automobiles, those injurious or contaminating to other lading, commodities requiring mechanical refrigeration of temperature control other than those moving on Government bills of lading, and trucks and buses other than those moving on Government bills of lading), between Salt Lake City, Utah, and Sacramento, Calif., from Salt Lake City over U.S. Highway 40 (also over Interstate Highway 80) to Sacramento and return over the same routes, serving no intermediate points and serving Salt Lake City and Sacramento for the purpose of joinder only, as an alternate route over

operating convenience only in connection with carrier's otherwise authorized regular route operations, restricted to the transportation of traffic to or from Kansas City, Mo., to points on carrier's authorized routes east of Kansas City, Mo. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or any location convenient to the Commission.

No. MC 41706 (Sub-No. 11) (Correction), filed July 9, 1970, published in the FEDERAL REGISTER issue of August 6, 1970, and republished in part, as corrected this issue. Applicant: TOSE, INC., 64 West Fourth Street, Bridgeport, Pa. 19405. Applicant's representative: Anthony C. Vance, Suite 501, 1111 E Street NW., Washington, D.C. 20004. The purpose of this partial republication is to redescribe the territory in part (1) of the application as follows: between Phillipsburg, N.J., and Hackettstown, N.J., serving all intermediate points, from Phillipsburg, N.J., over U.S. Highway 22 to junction New Jersey Highway 24, thence over New Jersey Highway 24 to junction New Jersey Highway 519, thence over New Jersey Highway 519 to Bridgeville, thence over U.S. Highway 46 to Hackettstown, N.J., and return over the same routes; and in part (8) to reflect the correct city as Hillsborough, N.J., in lieu of Hillsboro, N.J., as erroneously published. The rest of the application remains as previously published.

No. MC 51146 (Sub-No. 182), filed October 5, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as applicant) and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Plattsburgh and Lyons Falls, N.Y., to points in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. Note: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. It further states no duplicate authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 183), filed October 5, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Post Office Box 2298, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as applicant) and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Crossett, Ark., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, and Wisconsin.

Note: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant further states it has various duplicative items of authority under various subs but does not seek duplicative authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 185), filed October 12, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representative: D. F. Martin (same address as applicant) and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, products produced or distributed by manufacturers or converters of paper and paper products, and equipment, materials, and supplies* used in the manufacture and distribution of paper products, between Rothschild and Wausau, Wis., and points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. Note: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. All duplicating authority shall be eliminated. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 51146 (Sub-No. 186), filed October 12, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as applicant) and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, products produced or distributed by manufacturers or converters of paper and paper products*, from Rothschild and Wausau, Wis., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (2) *equipment materials and supplies* used in the manufacture and distribution of paper and products, from the destination States to Rothschild and Wausau, Wis. Note: Applicant states that the requested authority could be tacked with MC 51146 and various subs and applicant will tack where feasible. All duplicating authority shall be

eliminated. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52709 (Sub-No. 313), filed October 8, 1970. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. 80216. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; (1) Between Ogallala, Nebr., and Scottsbluff, Nebr.; from Ogallala over U.S. Highway 26 to Scottsbluff, and return over the same route, serving Bridgeport and Ogallala for the purpose of joinder only; (2) between Cheyenne, Wyo., and Scottsbluff, Nebr.; from Cheyenne over U.S. Highway 85 to Torrington, thence over U.S. Highway 26 to Scottsbluff, and return over the same route, serving the intermediate point of Torrington, Wyo.; (3) between junction U.S. Highway 138 and Colorado Highway 113 and Bridgeport, Nebr.; from junction U.S. Highway 138 and Colorado Highway 113, over Colorado Highway 113 to the Colorado-Nebraska State line, thence over Nebraska Highway 19 to junction U.S. Highway 385, thence over U.S. Highway 385 to Bridgeport, and return over the same route, as an alternate route for operating convenience only, serving the termini as points of joinder only, and restricted against the transportation of traffic originating at or destined to Cheyenne, Wyo., and Denver, Colo. Restrictions: No traffic may be transported (1) between Torrington or Scottsbluff, on the one hand, and, on the other, Cheyenne, Wyo., Denver, Colo., or points on U.S. Highway 85 between Cheyenne and Denver; or (2) between Torrington, Wyo., on the one hand, and, Scottsbluff, Nebr., on the other hand. NOTE: Common control may be involved. Applicant requests concurrent handling with MC-P-10960, published in the FEDERAL REGISTER issue of September 30, 1970. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 59241 (Sub-No. 1), filed October 8, 1970. Applicant: JOHN GIBBONS, INC., Industrial Highway, Eddystone, Pa. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning products, nutritional foods, and related articles, materials, supplies, and equipment*, except in bulk, used in the manufacture, distribution, or sale of the aforementioned commodities, between East Stroudsburg, Pa., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is

deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59856 (Sub-No. 40), filed October 8, 1970. Applicant: SALT CREEK FREIGHTWAYS, a corporation, 3333 West Yellowstone, Casper, Wyo. 82601. Applicant's representative: Joseph F. Sloan, 6540 North Washington Street, Denver, Colo. 80229. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value and except livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the Humble Oil & Refining Co. Highland Uranium Mine Site and plant facilities, located approximately 25 miles northwest of Douglas, Wyo., as an off-route point in connection with presently authorized regular route operations to and from Douglas, Wyo. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Colorado or Casper, Wyo.

No. MC 61592 (Sub-No. 188), filed October 7, 1970. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast, prestressed, and performed concrete products*, from the plantsites of Hufschmidt Engineering Co. at Sussex, Minomonee Falls, and Janesville, Wis., to points in Illinois, Indiana, and Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 64112 (Sub-No. 44), filed September 29, 1970. Applicant: NORTH-EASTERN TRUCKING COMPANY, a corporation, 2508 Starita Road, Post Office Box 26276, Charlotte, N.C. 28213. Applicant's representative: John M. Dunn, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Richmond, Va., and Roanoke Rapids, N.C., to Chicago, and Champaign, Ill., and Louisville, Ky. NOTE: Applicant states that by combining the authority sought with that presently held in MC 64112 and subs thereunder, operating via common point of Roanoke Rapids, N.C., applicant may serve all origins in North Carolina. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 82841 (Sub-No. 74), filed October 5, 1970. Applicant: HUNT TRANSPORTATION, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, trans-

porting: *Wrought steel pipe* not exceeding 4 inch outside dimension, from points in Livingston County, Ill., to points in Iowa, Missouri, Kansas, Nebraska, South Dakota, Wyoming, and Colorado. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at (1) Peoria, Ill., (2) Chicago, Ill.

No. MC 82841 (Sub-No. 75), filed October 5, 1970. Applicant: HUNT TRANSPORTATION, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products, lumber, plywood, bond deck, and box shoo*, from points in California, to points in Nebraska, Kansas, Oklahoma, Texas, Louisiana, Arkansas, Missouri, Iowa, Utah, and Arizona. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 83835 (Sub-No. 73), filed October 5, 1970. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractor's machinery equipment, materials, and supplies*, between points in Illinois, Michigan, and Wisconsin. NOTE: Applicant states that the requested authority could be tacked at any point in Illinois to serve Indiana, Pennsylvania, and Ohio. Applicant further states that it holds no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 94201 (Sub-No. 92), filed October 5, 1970. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Gadsden, Ala. 35903. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*: (1) from the plantsite, warehouses, and shipping facilities of Scott Paper Co. at or near Mobile, Ala.; and (2) from the plantsite, warehouses, and shipping facilities of International Paper Co. at or near Mobile, Ala., to all points in Indiana and Tennessee, points in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22, to Cincinnati, Ohio; and points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill.,

thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line, and thence along the Illinois-Indiana State line to point of beginning. NOTE: Applicant states that the requested authority can be tacked with its existing authority, wherein applicant is authorized to serve points in Alabama, Georgia, and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 94350 (Sub-No. 278), filed October 1, 1970. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road, Greenville, S.C. 29602. Applicant's representatives: Mitchell King, Jr., Post Office Box 1628, Greenville, S.C. 29602, and Ames, Hill, and Ames, 666 11th Street NW., Suite 605, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, and *buildings*, in sections, mounted on wheeled undercarriages, from Slayton, Minn., and Crossville, Tenn., to points in the United States (excluding Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 94350 (Sub-No. 279), filed October 1, 1970. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29606. Applicant's representatives: Mitchell King, Jr. (same address as applicant), and Ames, Hill, & Ames, 666 11th Street NW., Suite 705, McLachlen Bank Building, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements, from points in Clarendon County, S.C., to points in the United States east of the Mississippi River (except Minnesota). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 95876 (Sub-No. 104), filed October 2, 1970. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards or sheets, made of lumber, lumber particles, lumber fibers, or sawdust*, from Albany, Bend, Millersburg, Oreg., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked

with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Minneapolis, Minn.

No. MC 100666 (Sub-No. 174), filed October 2, 1970. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, 1129 Grimmert Drive, Shreveport, La. 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leninger Building, Oklahoma City, Okla. 73112, and Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed* (except in bulk), from storage facilities of Lipton Pet Foods, Inc., at or near New Orleans, La., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Kentucky, Virginia, West Virginia, Pennsylvania, Indiana, Ohio, Michigan, Missouri, Kansas, Oklahoma, Illinois, Iowa, Minnesota, Wisconsin, Texas, Colorado, Nebraska, North Dakota, South Dakota, New Mexico, Arizona, Utah, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 105375 (Sub-No. 43), filed October 2, 1970. Applicant: DAHLEN TRANSPORT OF IOWA, INC., 1680 Fourth Avenue, Newport, Minn. 55055. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, from Dubuque, Iowa, to points in Illinois, Wisconsin, and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul or Minneapolis, Minn.

No. MC 105457 (Sub-No. 69), filed October 5, 1970. Applicant: THURSTON MOTOR LINES, INC., 600 Johnston Road, Post Office Box 10638, Charlotte, N.C. 28201. Applicant's representative: J. V. Luckadoo (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, between the plantsites, storage and warehouse facilities (owned and leased) of U.S. Plywood-Champion Paper, Inc., at or near Asheville, Canton, and Waynesville, N.C., on the one hand, and, on the other, Chattanooga, Tenn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 106398 (Sub-No. 502), filed October 1, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as above) and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles*, in initial movements, in truckaway service, from points in Crawford County, Wis., to points in the United States (except Alaska and Hawaii). NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison, or Milwaukee, Wis.

No. MC 106398 (Sub-No. 505), filed October 5, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Mail: Box 51096, Dawson Station, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as applicant) and Leonard A. Jaskiewicz, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of Roller Die & Forming Co., of Alabama, in Barbour County, Ala., to points in Colorado, New Mexico, Nebraska, Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Illinois, Wisconsin, Indiana, Ohio, Tennessee, Florida, Georgia, South Carolina, North Carolina, Virginia, and Kentucky. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. It further states no duplicate authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala., or Columbus, Ga.

No. MC 106398 (Sub-No. 507), filed October 7, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as above), and Leonard A. Jaskiewicz, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barjoists, decking, and iron and steel articles*, from the plantsite of Permajoist, Inc., in Jefferson County, Ky., to points in Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, Louisiana, Illinois, Wisconsin, Michigan, Indiana, Tennessee, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 106398 (Sub-No. 508), filed October 7, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Iron and steel articles*, from the plantsite of Roller Die & Forming Co., Inc., at Jefferson County, Ky., to points in Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Mississippi, Alabama, Tennessee, Indiana, Michigan, Ohio, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, and Pennsylvania. **NOTE:** Common control and dual operation may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 106398 (Sub-No. 509), filed October 9, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service from points in Columbia County, Wis., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked to its existing authority. Applicant also states that it seeks no duplicating authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 106398 (Sub-No. 511), filed October 9, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fiberboard, wood fiberboard faced or finished with decorative and/or protective materials, and accessories and supplies used in installation thereof* (except commodities in bulk) from plantsite of Evans Products Co., at or near Doswell (Hanover County), Va., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, West Virginia, Wisconsin, Connecticut, Florida, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant also states that it seeks no duplicating authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106398 (Sub-No. 512), filed October 12, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same ad-

dress as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier* by motor vehicle over irregular routes, transporting: *Undercarriages and frames designed to be equipped with hitchball or pintle hook connector*, from New Ulm, Minn., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis or St. Paul, Minn.

No. MC 106565 (Sub-No. 10), filed October 5, 1970. Applicant: JULIUS R. TAYLOR, doing business as TAYLOR TRUCK LINE, 402 South Clay, Charleston, Miss. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Greenwood, Miss., and Itta Bena, Miss., from Greenwood over U.S. Highway 82 to junction Mississippi Highway 7, thence over Mississippi Highway 7 to Itta Bena, and return over the same route, serving all intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 107295 (Sub-No. 456), filed October 2, 1970. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer Coty, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heating, air conditioning, cooling, ventilating equipment and accessories*, from Bloomington, Ill., to points in the United States (except Alaska, California, Hawaii, Oregon, and Washington). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 107515 (Sub-No. 712), filed October 8, 1970. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides and commodities in bulk) as described in sections A and C to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of Scottsbluff Packing Co., Scottsbluff, Nebr., and from Huron, S. Dak., to

points in Alabama, Florida, Georgia, North Carolina, and South Carolina. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 107515 (Sub-No. 713), filed October 8, 1970. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides and commodities in bulk), as described in sections A and C to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration, from Carrollton, Ga., to points in Florida, Alabama, Tennessee, North Carolina, South Carolina, Virginia, Washington, D.C., New York, Pennsylvania, Connecticut, Delaware, New Jersey, Illinois, Ohio, Indiana, Kentucky, West Virginia, Louisiana, and Mississippi. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Birmingham, Ala.

No. MC 107515 (Sub-No. 714), filed October 8, 1970. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, transported in vehicles equipped with mechanical refrigeration (except commodities in bulk and hides), from the plantsite and warehouse facilities utilized by Swift & Co. at Ocala, and Tampa, Fla., to points in Georgia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Atlanta, Ga.

No. MC 108393 (Sub-No. 38), filed October 1, 1970. Applicant: SIGNAL DELIVERY SERVICE, INC., 930 North York Road, Hinsdale, Ill. 60521. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electrical or gas appliances, parts of electrical or gas appliances, and equipment, materials, and supplies used in the manufacture, distribution and repair of electrical or gas appliances*, from Clyde, Marion, and Findlay, Ohio, to Pittsburgh, Pa., under continuing contracts with Sears, Roebuck & Co. and Whirlpool Corp. **NOTE:** Applicant holds common carrier authority under MC No. 118459 and Sub 1. Common control and

dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108393 (Sub-No. 39), filed October 5, 1970. Applicant: SIGNAL DELIVERY SERVICE, INC., 930 North York Road, Hinsdale, Ill. 60521. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by mail-order houses and retail stores and in connection therewith, such equipment, materials, and supplies used in the conduct of such business, from New Castle, Pa., to Chicago, Ill., Highland Park, Mich., and Wauwatosa, Wis., under continuing contract or contracts with Sears, Roebuck & Co.* Note: Applicant holds common carrier authority under MC No. 118459 and Sub 1. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109397 (Sub-No. 240), filed October 7, 1970. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. 64801. Applicant's representative: Max G. Morgan, 609 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives, blasting materials, supplies, and agents, between the plantsite of Hercules, Inc., at or near Lincoln, Calif., on the one hand, and, on the other, points in Washington.* Note: Applicant states that tacking is possible with its Sub 109, between Lincoln, Calif., and points in Idaho, Utah, Nevada, Arizona, and Oregon. Also applicant's Sub-84, between Oakland, Calif., and 20 miles and points in California. Applicant holds contract carrier authority under MC 128814 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., Seattle, Wash., Portland, Oreg., or Spokane, Wash.

No. MC 111170 (Sub-No. 150), filed October 1, 1970. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, Ark. 71730. Applicant's representative: Don Smith, Post Office Box 43, Ft. Smith, Ark. 71730. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bromine, in bulk, in tank truck vehicles, from points in Columbia County, Ark., to points in Alabama, Louisiana, Missouri, Tennessee, and Texas.* Note: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 111812 (Sub-No. 409), filed October 7, 1970. Applicant: MIDWEST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Donald L. Stern, 630 City National Bank

Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses as described in sections A and C, Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk), from plantsite and warehouse facilities of Geo. A. Hormel & Co., Austin, Minn., to points in Delaware, Maryland, and the District of Columbia, restricted to traffic originating at the named plantsites and warehouse facilities and destined to the named States.* Note: Applicant states that the requested authority cannot be tacked to its existing authority. Common control may be involved. If a hearing is deemed necessary applicant states it has no preference.

No. MC 112148 (Sub-No. 52), filed October 9, 1970. Applicant: POWERS TRANSPORTATION, INC., Highway 71 East, Post Office Box 147, Storm Lake, Iowa 50588. Applicant's representative: William L. Fairbank, Ninth Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses as described in sections A, B, and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Estherville, Iowa, and Sioux Falls, S. Dak., to points in Michigan, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Maryland, and Maine, restricted to traffic originating at the plantsite and storage facilities utilized by John Morrell & Co.* Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 112304 (Sub-No. 41), filed October 4, 1970. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products, from the plantsites and facilities of Harvey Aluminum Co., located in Hancock County, Ky., to points in Illinois, Iowa, Minnesota, and Wisconsin.* Note: Applicant states that tacking possibilities exist with applicant's Sub 1 "size and weight" authority although tacking operations are not planned at this time, therefore he does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 112822 (Sub-No. 169), filed October 7, 1970. Applicant: BRAY LINES INCORPORATED, 1401 North Little Street, Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Thos. Lee Allman, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils and animal fats and products and blends thereof, in bulk, in tank vehicles: (1) between points in Texas, on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming; and (2) between points in Texas.* Note: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 114045 (Sub-No. 343), filed October 2, 1970. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk food, liquid, in containers, in vehicles equipped with mechanical refrigeration, from Meridian, Idaho, to Dallas, Tex.* Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 114045 (Sub-No. 344), filed October 5, 1970. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, toilet preparation, cough candy drops, soap, dental compound, cosmetics, insecticide, chemicals, food curing, preserving or seasoning compounds, and related articles in vehicles equipped with mechanical refrigeration, restricted against the transportation of commodities in bulk, in tank vehicles, from points in Montgomery, Philadelphia, and Chester Counties, Pa., to Kansas City, Mo., Wichita, Kans., Denver, Colo., Salt Lake City, Utah, and points in California, Oregon, and Washington.* Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 114045 (Sub-No. 345), filed October 5, 1970. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, toilet preparations, cough candy drops, soap, dental compound, cosmetics, insecticide, chemicals, food curing, preserving or seasoning compounds and related articles*, in vehicles equipped with mechanical refrigeration (restricted against the transportation of commodities in bulk, in tank vehicles), from points in Montgomery, Philadelphia, and Chester Counties, Pa., to Memphis, Tenn., New Orleans, La., and points in Oklahoma and Texas. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 114045 (Sub-No. 346), filed October 5, 1970. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Finley and Belt Line Road 75240, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart, Post Office Box 5842, Dallas, Tex. 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Medicines, cough candy drops, toilet preparations, soap, dental compound, and related articles*, in vehicles equipped with mechanical refrigeration, from Friendship, N.C., to Dallas, Fort Worth, and Houston, Tex.; Memphis, Tenn.; New Orleans, La.; Kansas City, Mo.; Denver, Colo.; Oklahoma City, Okla.; Los Angeles and San Francisco, Calif.; Portland, Oreg., and Salt Lake City, Utah. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 115180 (Sub-No. 65), filed October 5, 1970. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from East Brunswick, N.J., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 115180 (Sub-No. 66), filed October 6, 1970. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 North 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jer-

sey City, N.Y. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Sioux City, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, West Virginia, Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 116014 (Sub-No. 53), filed October 7, 1970. Applicant: OLIVER TRUCKING COMPANY, INC., Post Office Box 53, Winchester, Ky. 40391. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fiberboard, wood fiberboard faced or finished with decorative and or protective material, and accessories and supplies used in the installation thereof* (except commodities in bulk), from the plantsites and warehouse facilities of Evans Products Co., at or near Doswell, Hanover County, Va., to points in Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. **NOTE:** Applicant states that the requested authority can be tacked with its Sub 25 but indicates that it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116073 (Sub-No. 138), filed October 1, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Maine Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tassar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers, designed to be drawn by passenger automobiles, in initial movements, and buildings complete or in sections*, from points in Columbia County, Wis., to points in the United States (except Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 116073 (Sub-No. 139), filed October 11, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tassar (same address as applicant). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Hydraulic cylinders, and materials*, between points in Bremer County, Iowa, on the one hand, and, on the other, points in the United States (except Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 116514 (Sub-No. 28), filed October 2, 1970. Applicant: EDWARDS TRUCKING, INC., Hemingway, S.C. 29554. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, plastic resins, bonded fibers, and bonded and/or non-woven fiber products, and equipment, materials, and supplies used or useful in the manufacture and processing thereof* (all restricted against the transportation of commodities in bulk), between Charleston, S.C., on the one hand, and, on the other, Johnsonville, S.C., and Hemingway, S.C., and the storage facilities used by Wellman, Inc., at or near Johnsonville and Hemingway, S.C. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 116519 (Sub-No. 9), filed October 6, 1970. Applicant: FREDERICK TRANSPORT LIMITED, a corporation, Rural Route 6, Chatham, Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Tractors*, from Coldwater, Ohio to the United States-Canada boundary line at or near Detroit and Port Huron, Mich. Restriction: The transportation shall be limited to the movement of traffic destined to points in Canada. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116763 (Sub-No. 175), filed October 2, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs, and related articles*, from the plantsite and facilities of the R. T. French Co., at Rochester, N.Y., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 116763 (Sub-No. 176), filed October 8, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Paper, paper articles, and printed materials*, (1) from points in Ohio, to points in Connecticut, Massachusetts, and Rhode Island; and (2) from points in Indiana, to points in Alabama, Arkansas, Connecticut, Florida, Georgia, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, Oklahoma, Rhode Island, Texas, and Vermont. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 117165 (Sub-No. 33), filed October 1, 1970. Applicant: C. J. DAVIS, doing business as ST. LOUIS FREIGHT LINES, a corporation, 1000 Michigan Avenue, St. Louis, Mich. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Gaylord, Mich., to points in Indiana, Illinois, Ohio, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 117574 (Sub-No. 192), filed October 1, 1970. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Carlisle, Pa. 17013. Applicant's representatives: E. S. Moore, Jr. (same address as above) and James W. Hagar, 100 Pine Street, Post Office Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and implements*, (2) *tractors*, (3) *industrial construction, excavating, and material handling equipment*, (4) *trailers designed for the transportation of above commodities*, (5) *cabs* for (1), (2), and (3) above, (6) *internal combustion engines*, (7) *attachments* for (1), (2), and (3) above, and (8) *parts* for (1) through (7) above, from the plant and warehouse sites and storage facilities of J. I. Case Co., at or near Bettendorf and Burlington, Iowa, and at or near Racine, Wis., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119388 (Sub-No. 13), filed October 1, 1970. Applicant: GLEN R.

ELLIS, INC., 3911 Jerome Avenue, Chattanooga, Tenn. 37407. Applicant's representative: Blaine Buchanan, 1024 James Building, Chattanooga, Tenn. 37402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from the plantsite of Pabst Brewing Co., at Pabst, Ga., about 6 miles southeast of Perry, Ga., to points in Hamilton, Bradley, Polk, Monroe, McMinn, Meigs, Rhea, Bledsoe, Sequatchie, Marion, Grundy, Cumberland, and Roane Counties, Tenn. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn., or Atlanta, Ga.

No. MC 119619 (Sub-No. 36), filed October 5, 1970. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43d Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, New York, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, packinghouse products, and articles* distributed by meat packinghouses, as described in sections A, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and skins, and except commodities in bulk in tank vehicles), from Omaha, Nebr., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, Tennessee, Chicago, Ill., and Washington, D.C. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is necessary, applicant requests it be held at Chicago, Ill.

No. MC 119619 (Sub-No. 37), filed October 9, 1970. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43d Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* dealt in by wholesale, retail, and chain grocery and food business houses, from the plantsite and storage facilities of Armour-Dial, Inc., located in Chicago, Ill., the Chicago, Ill., commercial zone, and Aurora Township, Kane County, Ill., to points in Minnesota, Wisconsin, and the Upper Peninsula of Michigan. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119789 (Sub-No. 40), filed October 2, 1970. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, Tex. 75222. Applicant's representative: James T. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Frozen foods*, from Laredo, Tex., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Kentucky, Indiana, Ohio, Pennsylvania, Virginia, West Virginia, Delaware, New Jersey, Massachusetts, Connecticut, Vermont, New Hampshire, Maine, Rhode Island, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 119934 (Sub-No. 167), filed October 5, 1970. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. 46040. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perlite*, other than crude, from Crawfordsville, Ind., to points in Alabama, Arkansas, Georgia, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, and Wisconsin. **NOTE:** Applicant presently holds contract carrier authority under its No. MC 128161 and subs, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 119988 (Sub-No. 34), filed October 5, 1970. Applicant: GREAT WESTERN TRUCKING CO., INC., 811 1/2 North Timberline Drive, Post Office Box 1384, Lufkin, Tex. 75902. Applicant's representative: Mert Starnes, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients, in bags*, from Van Buren, Ark., to points in Texas. **NOTE:** Applicant states that the requested authority cannot be tacked to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Austin or Houston, Tex.

No. MC 120430 (Sub-No. 3), filed September 30, 1970. Applicant: COASTAL TRANSPORT CO., INC., 3009 South Post Oak Road, Post Office Box 22592, Houston, Tex. 77027. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, in bulk, in tank trucks, between points in Texas; (2) *dry commodities* in bulk, in tank vehicles, hopper vehicles, hydraulic unloading dump vehicles, cable unloading dump vehicles, and tank type gravity unloading dump vehicles, *acetates, adipic acid, agricultural chemicals* (except lime), *alloys, almonds* (broken or whole), *alum, alumina, aluminate fell, aluminum chips, aluminum fluoride, aluminum hydrate, aluminum oxide, aluminum silicate, aluminum chloride,*

ammonium chloride (crystalline), ammonium nitrate, ammonium sulphate, animal and poultry feeds, antimony powder, arsenic (pulverized), arsenic oxide, asbestos, bagasse, bakelite (fine), baking powder, barite, barium carbonate, bark (wood, refuse), bauxite, beans, betonite (crude), bentonite, benzene hexachloride, bicarbonate of soda, bone-black, bonechar, bonemeal, bones, borate of lime, borax and boron products, boric acid (fine), bran, bronze chips, buckwheat, brocite, calcium carbide, calcium lactate, carbohydrates, carbonates, carborundum, carbon and its compounds (except carbon black), casein, cashew nuts, cassiterite, cast iron chips, catalysts, cellulose and its products, cereals, chalk, charcoal, chlorides, chrome dust, chrome ore, chromite, clay, clover seed, coal, coal char, cocoa beans, cocoa nibs, cocoa powder, coffee, coke and coke dust, compost, copper and its compounds, copper sulphate, coppers, copra, cork, carbonaceous materials, corn and corn products, corn sugar, cornmeal, cryolite, cullets, cyanamid, detergent, diatomaceous earth, dicalcium phosphate, dicyandamide, disodium phosphate, dolomite, ebonite;

Eggs (dried), egg powder, epsom salts, feed ingredients, feldspar, ferrochrome, ferro compounds, ferrous sulphate, fertilizers, fish meal, fish scrap, flint, flue dust, fluorspar, fly ash, fuller's earth, gelatin, gilsonite, glass batch, glue, gluten feed, gluten meal, graphite, gypsum, hominy, hops, ilmenite ore, iron sulphate, lactose, lard flakes, lead and its compounds, lead arsenate, lignite, limestone (except when used for road construction or building projects), linseed, linseed meal, litharge, lithopone, magnesite, magnesium chloride, magnesium and its compounds, malt, manganese dioxide, manganese ore, manganese sulphate, manganese and its compounds, marl, meal, mercury compounds, mica, middlings, milk (whole, powdered), mineral wool, monosodium phosphate, muriate of potash, mustard seed, naphthalene flakes, niacin, nickel cobalt, sulphate ore, nitrates, nitrites, nitrogen compounds, nylon flakes and pellet ores, oxalic acid crystals, oxides, paper pulp, phosphate rock, phosphates, plaster of paris, polymer powder, polymers and copolymers, polymyl chloride, polystyrene beads, potassium carbonate, potassium chloride, potassium nitrate, potassium sulphate, potassium compounds, pulp, pumice ($\frac{1}{8}$ inch and under), pyrites (pellets), quartz, resins, rouge powder, rubber (hard, ground), rubber (pelletized), rubber (reclaim), salicylic acid, salts (except from Beaumont and Grand Saline and points within 10 miles thereof), salt peter, sawdust, semolina, sesame seed, shale (crushed), shellac (powdered or granulated), shorts, silicas (except sand), slate, soap detergents, soapstone talc, soda ash, sodium bicarbonate, sodium nitrate, sodium phosphate, sodium sulphate, sodium compounds, soybeans, soybean flakes, soybean meal, starch, steel chips, steel turnings, sulphate of alumina, sulphates, sulphites, sulphur and its compounds, taconite, talc, talcum powder, tanbark

(ground), tankage, timothy seed, titanium dioxide, titanium sponge, traprock, trisodium phosphate, triple super phosphate, vermiculite (expanded), vermiculite ore, water treating compounds (except lime), wood bark (see bark), wood chips, wood flour, zinc concentrate residue, zinc ore (crushed), zinc oxide (heavy), zinc oxide (light), zinc compounds and zinc sulphate final, between points in Texas. NOTE: Applicant presently has a pending temporary contract carrier application in MC 134957. Applicant states the instant application seeks to convert the certificate of registration of MC 120430 (Sub-No. 1) to a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it be held at Houston, Dallas, or Fort Worth, Tex.

No. MC 123048 (Sub-No. 181), filed October 2, 1970. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representatives: Paul C. Gartzke, 121 West Doty Street, Madison, Wis., and Paul L. Martinson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Snowmobile chassis and parts of snowmobile chassis, from ports of entry on the United States-Canada boundary at Detroit and Port Huron, Mich., to points in Calumet County, Wis., restricted to foreign commerce; (2) (a) lawn and garden equipment; (b) snow throwers; (c) snowmobiles; (d) attachments for the commodities described in (a) through (d) above, from points in Calumet County, Wis., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123048 (Sub-No. 182), filed October 5, 1970. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representatives: Paul L. Martinson (same address as applicant), and Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Tractors; (2) lawn and garden equipment; (3) snowmobile; (4) snow throwers; (5) motor scooters; (6) all-terrain vehicles; (7) construction mixers; (8) outdoor grills; (9) attachments for the commodities described in (1) through (8) above; (10) accessories for the commodities described in (1) through (9) above; (11) parts for the commodities described in (1) through (10) above, from Plymouth, Oostburg, Fredonia, and Manawa and points in Jefferson County, Wis., to

points in the United States, including Alaska (but excluding Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123091 (Sub-No. 9), filed October 1, 1970. Applicant: NICK STRIMBU, INC., 3500 Parkway Road, Brookfield, Ohio 44403. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron or steel pipe, tubing, fitting and accessories therefor, from Sharon and Wheatland, Pa., to points in Alabama; that part of Tennessee east of a line beginning at the Kentucky-Tennessee State line, thence along U.S. Highway 31W to Nashville, Tenn., and thence along U.S. Highway 31 to the Tennessee-Alabama State line; and points in Connecticut, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, North Carolina, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 123294 (Sub-No. 20), filed October 1, 1970. Applicant: WARSAW TRUCKING CO., INC., 1102 West Winona Avenue, Post Office Box 784, Warsaw, Ind. Applicant's representative: Martin J. Leavitt, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Paper mill products, from points in Miami, Champaign, Montgomery, and Warren Counties, Ohio, to Milwaukee, Racine, and Beloit, Wis.; St. Louis, Mo.; points in Michigan on and south of Michigan Highway 21; that part of Illinois on and north of U.S. Highway 40; and (2) materials and supplies used in the manufacture of paper mill products, on return. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123383 (Sub-No. 50), filed October 1, 1970. Applicant: BOYLE BROTHERS, INC., 941 South Second Street, Camden, N.J. 08103. Applicant's representative: John J. Boyle (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wood fiberboard, wood fiberboard faced or finished with decorative and/or protective material and accessories and

supplies used in installation thereof (except commodities in bulk), from the plantsite of Evans Products Co. at or near Doswell, Hanover County, Va., to points in the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 124212 (Sub-No. 51), filed October 5, 1970. Applicant: MITCHELL TRANSPORT, INC., 21111 Chagrin Boulevard, Cleveland, Ohio 44122. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, from the plantsite of Lehigh Portland Cement Co. at Union Bridge, Md., to points in New Jersey. **NOTE:** Common control and dual operation may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124692 (Sub-No. 75), filed October 5, 1970. Applicant: SAMMONS TRUCKING, a corporation, Post Office Box 933, Missoula, Mont. 59801. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from the Chicago, Ill., commercial zone to points and places in Montana, Wyoming, Utah, Idaho, Washington, and Oregon. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 124839 (Sub-No. 6), filed October 2, 1970. Applicant: BUILDERS TRANSPORT, INC., Post Office Box 7057, Savannah, Ga. 31408. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Insulation and insulating materials and supplies and accessories* used in installation thereof, from points in De Kalb County, Ga., to points in Alabama, Florida, Kentucky, North Carolina, South Carolina, and Virginia under continuing contract with Certain-Teed St. Gobain Insul. Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125102 (Sub-No. 10), filed October 1, 1970. Applicant: LEONARD DeLUE, D. J. SEBERN, T. W. RINKER, E. L. DeLUE AND TED P. RINKER, a partnership, doing business as AR-

MORED MOTORS SERVICE, 970 Yuma Street, Denver, Colo. 80204. Applicant's representative: Herbert M. Boyle, 948 Metropolitan Building, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin and currency*, from the Federal Reserve Bank of Kansas City at Denver, Colo., to points in Wyoming. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Cheyenne, Wyo.

No. MC 125140 (Sub-No. 13) (Correction), filed September 28, 1970, published in the FEDERAL REGISTER issue of October 22, 1970, and republished in part, as corrected, this issue. Applicant: RICHARD B. BRUNZLICK, Augusta, Wis. 54722. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. **NOTE:** The sole purpose of this partial republication is to show that applicant seeks *contract carrier* authority in lieu of *common carrier* authority inadvertently shown in the previous publication. The rest of the application remains as previously published.

No. MC 126149 (Sub-No. 11), filed September 28, 1970. Applicant: DENNY MOTOR FREIGHT, INC., 617 Indiana Avenue, New Albany, Ind. 46150. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fabricated iron and steel hoppers, bucket elevators, conveyors, and air pollution equipment, and attachments and accessories therefor*, from the plantsite of Wilson Welding Co., Inc., at or near Cecilia, Ky., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; (2) *materials and supplies* used in the manufacture of the commodities named in (1) above (except commodities in bulk), from the destination States named in (1) above to the plantsite of Wilson Welding Co., Inc., at or near Cecilia, Ky. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 126472 (Sub-No. 16), filed October 2, 1970. Applicant: WILCOXSON TRANSPORT, INC., Post Office Box 16, Bloomfield, Iowa 52537. Applicant's representative: Kenneth F. Dudley, 611 Church Street, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia*, in bulk, in tank vehicles; (a) from Fort Dodge and Garner, Iowa, to points in Minnesota and South Dakota; (b) from Omaha, Nebr., to points in Iowa, Min-

nesota, and South Dakota; (c) from Fort Madison, Iowa, and Sugar Creek, Mo., to points in Illinois, Missouri, Iowa, Kansas, and Nebraska; (d) from Bellevue, Iowa, to points in Illinois and Minnesota; (e) from Early, Iowa, to points in Minnesota, Nebraska, and South Dakota; and (f) from Selma, Mo., to points in Illinois; and (2) *used wooden pallets*, from points in Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, West Virginia, and Wisconsin, to the plantsite of Chevron Chemical Co. in Fort Madison, Iowa. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Des Moines, Iowa, or Kansas City, Mo.

No. MC 126760 (Sub-No. 3), filed October 1, 1970. Applicant: CARTER'S MOVING AND STORAGE, INC., 410 North Vine Street, Urbana, Ill. 61801. Applicant's representative: Edward G. Bazeelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in Calhoun, Fulton, Hancock, Kankakee, Marshall, McDonough, Pike, and Stark Counties, Ill., restricted to shipments having a prior or subsequent movement in containers beyond the points sought, limited to the performance of pickup and delivery service in connection with packing, crating, containerization, or unpacking, uncrating, and decontainerization of such traffic. **NOTE:** Applicant states that the requested authority could be tacked with the authority under Sub 1, wherein applicant is authorized to serve points in Illinois. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128273 (Sub-No. 76), filed October 1, 1970. Applicant: MIDWESTERN EXPRESS, INC., Box 189, York Scott, Kans. 66701. Applicant's representative: Danny Ellis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, products produced or distributed by manufacturers and converters of paper and paper products*; and (2) *materials and supplies* used in the manufacture and distribution of the above commodities (except commodities which, because of size or weight, require the use of special equipment), between points in Crow Wing County, Minn., and Carlton County, Minn., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. **NOTE:** Applicant holds contract carrier authority under MC 133791, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Minneapolis, Minn.

No. MC 128375 (Sub-No. 53), filed October 5, 1970. Applicant: CRETE CARRIER CORPORATION, Post Office Box 249, Crete, Nebr. 68333. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Post Office Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed and animal feed ingredients and equipment, materials, and supplies* used in the manufacture and production of animal feed and animal feed ingredients, between Turner, Kans., on the one hand, and, on the other, points in the United States (except Hawaii and Alaska), under continuing contract with Allen Products Co., Inc., its affiliates and subsidiaries. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 128375 (Sub-No. 54), filed October 5, 1970. Applicant: CRETE CARRIER CORPORATION, Post Office Box 249, Crete, Nebr. 68333. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, motor vehicle, over irregular routes, transporting: *Iron and steel articles, and equipment, materials, and supplies* used in the manufacture and processing of iron and steel articles, between Pueblo, Colo., on the one hand, and, on the other, points in Arizona, New Mexico, Oklahoma, Texas, Louisiana, and Arkansas, under continuing contract with C F & I Steel Corp. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Denver, Colo.

No. MC 128375 (Sub-No. 55), filed October 5, 1970. Applicant: CRETE CARRIER CORPORATION, Post Office Box 249, Crete, Nebr. 68333. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Exhaust pipes, exhaust pots, mufflers, tailpipes, suspension parts, steering gear, fifth wheel and plates, camshaft, axle parts, wheel clamps, rim attachments, brake linings, brakeshoes, brake equipment, shock absorbers, and related fittings, parts, tools, materials, accessories, and advertising matter and displays, and equipment, materials, and supplies*, used in the manufacture of the above-described items, between Saco, Maine, on the one hand, and, on the other, points in the United States (except Hawaii and Alaska) under continuing contract or contracts with Maremont Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Lincoln, Nebr.

No. MC 128853 (Sub-No. 4) (Correction), filed September 18, 1970, published FEDERAL REGISTER, issue of October 8, 1970, and republished as corrected, this issue. Applicant: COOKE CARTAGE AND STORAGE LTD., 110 Anne Street, South Barrie, Ontario, Canada. Applicant's representative: Frank J. Kerwin, Jr., 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a

contract carrier, by motor vehicle, over irregular routes, transporting: *Passenger seats and operator seats*, not in containers, from ports of entry on the international boundary line between the United States and Canada located at or near Detroit and Port Huron, Mich., and at Buffalo-Niagara Falls, N.Y., to points in Ohio and Maryland, under contract with Heywood-Wakefield Co. of Canada, Ltd. NOTE: The purpose of this republication is to show the proper commodity description. The application was previously published under Motor Carriers of Passengers in error.

No. MC 129427 (Sub-No. 1), filed October 6, 1970. Applicant: JOSEPH GEORGIANA, 26 Lafayette Street, Somerset, N.J. 08873. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bathtubs, sinks, lavatories, water closet bowls, seats, tanks*; (2) *accessories and supplies* used or useful in the installation in (1) above, from Aurora, Ill., and Lima, Ohio, to points in Pennsylvania, New York, New Jersey, and Connecticut; and (3) *water closet bowls, tanks and lavatories*, from Edison, N.J., to Aurora, Ill., and Lima, Ohio, under contract with Lawndale Industries. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or New York, N.Y.

No. MC 133065 (Sub-No. 13) (Amendment), filed August 13, 1970, published in the FEDERAL REGISTER issue of September 3, 1970, and republished in part, as amended, this issue. Applicant: ECKLEY TRUCKING AND LEASING, INC., Mead, Nebr. 68041. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, forest products and those commodities normally used and distributed by wholesale forest product yards*. NOTE: The purpose of this partial republication is to redescribe the commodity description. The rest of the application remains the same.

No. MC 133683 (Sub-No. 4) (Clarification), filed September 11, 1970, published in the FEDERAL REGISTER issues of October 1, and October 22, 1970, and republished as clarified this issue. Applicant: WACHOVIA COURIER CORPORATION, Wachovia Building, Winston-Salem, N.C. 27102. Applicant's representatives: David G. MacDonald and John Guandolo, Suite 502, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cash letters, commercial papers, documents and records, bank stationery, sales, payroll and other accounting, audit and data processing media* (except currency, coin, and bullion) such as are used in the business of banks and banking institutions, (a) between Raleigh-Durham Airport, Greensboro, Smith-Reynolds Airport,

Winston-Salem, and Douglas Airport, Charlotte, N.C., on the one hand, and, on the other, points in North Carolina, restricted to traffic having an immediately prior or subsequent movement by air, and (b) between Tri-City Airport, Kingsport, Tenn., on the one hand, and, on the other, points in Johnson, Sullivan, Hawkins, Hancock, Claiborne, Carter, Washington, Greene, Unicoi, Cocke, Sevier, Blount, Jefferson, Knox, Loudon, Anderson, Union, and Grainger Counties, Tenn., and Washington County, Va., restricted to traffic having an immediately prior or subsequent movement by air, under contract with persons, as defined in section 203(a) of the Interstate Commerce Act, who are engaged in the bank and banking institution business, and those in the business of furnishing data processing service. The purpose of this republication is to correctly set forth the territory proposed to be served. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Winston-Salem, N.C.

No. MC 134200 (Sub-No. 2), filed October 6, 1970. Applicant: BERNARD REZNICK, doing business as UNIVERSAL MAIL DELIVERY SERVICE, 3301 Leonis Boulevard, Los Angeles, Calif. 90058. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Alameda, Contra Costa, Marin, San Francisco, San Mateo, and Santa Clara Counties, Calif., restricted to the transportation of individual shipments weighing 500 pounds or less, under contract with Sav-On Freight Distributing Agency. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 134496 (Sub-No. 2), filed October 6, 1970. Applicant: A & B EXPRESS COMPANY, a corporation, 6314 Dewey Avenue, West New York, N.J. 07093. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wines and liquors*, except in bulk, (1) between New York, N.Y., and West New York, N.J., on the one hand, and, on the other, points in New York and New Jersey, (2) between Freeport, N.Y., on the one hand, and, on the other, West New York, N.J., and New York, N.Y., (3) between Highland, N.Y., on the one hand, and, on the other, West New York, N.J., and New York, N.Y., and (4) between Stamford, Conn., on the one hand, and, on the other, West New York, N.J., and New York, N.Y., under contract with Charles Morgenstern & Co., Inc., Briones & Co., Inc., Hudson Valley Wine Co., and Esbeco Distilling Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 134501, filed October 5, 1970. Applicant: UPT TRANSPORT COMPANY, a corporation, 618 North Beltline, Irving, Tex. 75060. Applicant's representative: Max G. Morgan, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, between Camden, Ark., on the one hand, and, on the other, points in Mississippi, Alabama, Florida, Georgia, North Carolina, Tennessee, Virginia, Kentucky, West Virginia, Indiana, Delaware, Pennsylvania, Ohio, Illinois, New York, Maryland, Wisconsin, Michigan, Connecticut, Massachusetts, Rhode Island, New Jersey, New Hampshire, Vermont, Maine, and the District of Columbia; between points in Texas, Oklahoma, and Arkansas (except from Fort Smith, Ark., and points in the commercial zone thereof, as defined by the Commission); between Little Rock, Stamps, and Waldron, Ark., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Ohio, Louisiana, Mississippi, North Carolina, Oklahoma, Pennsylvania, Texas, Tennessee (except points in Greene, Hamblen, Knox, and Cocke Counties, Tenn.), Virginia, West Virginia, Delaware, New York, Maryland, Wisconsin, Michigan, Connecticut, Massachusetts, Rhode Island, New Jersey, New Hampshire, Vermont, Maine, and the District of Columbia; between points in Angelina and Nacogdoches Counties, Tex., and points in New Mexico, Kansas (excluding Kansas City and points in its commercial zone as defined by the Commission), Missouri (excluding Kansas City and points in its commercial zone as defined by the Commission), Tennessee (excluding Memphis and points in its commercial zone as defined by the Commission); Mississippi (excluding Jackson, Natchez, Vicksburg, Gulfport, and points in their commercial zones as defined by the Commission), and Oklahoma. Restriction: The operations sought immediately above are restricted against tacking or combining with any of carrier's other operations authorized hereinabove for the purpose of performing a through service from or to points other than those authorized in the territorial description immediately above; between points in Saline, Sebastian, and Crawford Counties, Ark., and points in Arizona, California, Colorado, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Tennessee (except Cooke, Hamblen, and Knox Counties), Texas, and Wyoming (except between California and Arizona and from Arizona to Texas);

Restriction: The service sought immediately above, is restricted against tacking with any of carrier's other operations authorized hereinabove for the performance of a through movement from points in Virginia, North Carolina, Mississippi, and Tennessee to points in Mississippi, Louisiana, Tennessee, Missouri, Iowa, Virginia, Maryland, Delaware, New Jersey, New York, Pennsylvania, West Virginia, Ohio, and the District of Columbia; between points in Bextar County,

Tex. (except San Antonio and points in its commercial zone as defined by the Commission), and Travis County, Tex. (except Austin and points in its commercial zone as defined by the Commission), and points in Arkansas, Colorado, Idaho, Illinois, and that part of Indiana north of U.S. Highway 50, Kentucky, Michigan, Minnesota, Montana, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wisconsin, and Shelby County, Tenn. Restriction: The service sought immediately above is restricted against tacking with any of carrier's other operations authorized hereinabove for the performance of a through movement from points in Virginia, North Carolina, South Carolina, and Georgia, to points in Illinois, Indiana, Kentucky, Michigan, and Tennessee; and between points in Dallas County, Tex., on the one hand, and, on the other, points in Georgia, Iowa, Kansas, Nebraska, New Mexico, and North Carolina. Note: Applicant holds territorially duplicating authority under its basic certificate MC 134501 and Sub 5 which is restricted to New Furniture cartoned or crated or mixed. The sole purpose of this application is to remove the cartoned or crated limitation in such authority. Applicant offers to surrender its presently held authority under its basic certificate MC 134501 and Sub 5 simultaneous with a grant of the authority applied for under corresponding docket numbers. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 134723 (Sub-No. 1), filed October 2, 1970. Applicant: MAULFAIR TRUCKING COMPANY, INC., 36 Union Place, North Arlington, N.J. 07032. Applicant's representative: William Jacobs, 181 River Road, Nutley, N.J. 07110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ladies hair accessories such as combs, curlers, barrettes, bows, stretch bands, hair pins, and similar items as well as materials used in their manufacture*, from Kearny, N.J., to points in New York, N.Y.; points in Nassau and Suffolk Counties in New York, and points in Fairfield, Hartford, and New Haven Counties in Connecticut; and (2) *refused, rejected and returned merchandise of the same description*, on return, under contract with H. Goodman & Sons, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York City, N.Y.

No. MC 134760 (Sub-No. 2), filed October 5, 1970. Applicant: PHILLIP W. SLIGHTOM, doing business as P & B TRUCKING, Rural Route 1, Bettendorf, Iowa 52722. Applicant's representative: Kenneth F. Dudley, 611 Church Street, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, building materials, and building supplies*, from Davenport, Iowa, to points in Illinois, under contract with The Wickes Corp. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Davenport, Iowa.

No. MC 134852 (Sub-No. 2), filed October 6, 1970. Applicant: THE SALT SUPPLY COMPANY, a corporation, Post Office Box 55, Carlsbad, N. Mex. 88220. Applicant's representative: Edwin E. Piper, Jr., 715 Simms Building, Albuquerque, N. Mex. 87101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Magnetite*, from points in Pinal County, Ariz., to the plant of International Minerals and Chemical Corp. located near Carlsbad, N. Mex., with the operations authorized to be performed under a continuing contract, or contracts, with International Minerals and Chemical Corp., Carlsbad, N. Mex. Note: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 134872 (Sub-No. 1), filed October 2, 1970. Applicant: GOSSELIN EXPRESS LTD., 141 Smith Thetford Mines, Quebec, Canada. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Snowmobiles and all terrain vehicles*, (1) from ports of entry on the United States-Canada boundary line located in New York, Michigan, Vermont, and Maine, to points in New York, Pennsylvania, Minnesota, Wisconsin, Washington, Utah, California, Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New Jersey, Michigan, and Indiana, and (2) from points in Wisconsin, Minnesota, and Michigan to the ports of entry located on the United States-Canada boundary line located in New York and Michigan to the ports of entry located in New York and Michigan. Note: Applicant states the purpose of this application is to convert its contract carrier authority under MC 133243 Subs 1 and 2, to that of a common carrier. It further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Albany or Plattsburgh, N.Y.

No. MC 134889, filed August 27, 1970. Applicant: CITRUSALES, INC., 12200 State Road 84, Davie, Fla. 33314. Applicant's representative: Paul Deutsch (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus products*, not canned and not frozen, in bulk, in tank vehicles, from points in Florida, Delaware, Connecticut, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, Wisconsin, and Georgia. Note: If a hearing is deemed necessary, applicant requests it be held at Miami, Fort Lauderdale, or Orlando, Fla.

No. MC 134931 (Sub-No. 2), filed October 5, 1970. Applicant: RALPH ESTON STEMPLE, R.F.D. No. 2, Box 240, Oakland, Md. 21550. Applicant's representative: William P. Jackson, Jr., 919 18th Street NW., Washington, D.C. 20006.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Spring water*, in containers, between Deer Park, Md., and points in the United States in and east of Montana, Wyoming, Colorado, and Arizona; (2) *glass and plastic containers and other related packaging materials*, from points in the United States in and east of Montana, Wyoming, Colorado, and Arizona to Deer Park, Md. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134950 (Correction) filed September 14, 1970, published in the *FEDERAL REGISTER* issue of October 15, 1970, corrected in part, and republished as corrected, this issue. Applicant: WILLIAM T. ZIEGENBEIN, doing business as WILLIAM T. ZIEGENBEIN TRUCKING CO., Box 74, Piedmont, S. Dak. 57701. Applicant's representatives: William H. Coacher, Post Office Box 179, Sturgis, S. Dak. 57785, and Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001. **NOTE:** The purpose of this partial republication is to include *meat products* in item (1) of the commodity description, which was inadvertently omitted from the previous publication. The rest of the application remains the same.

No. MC 134957 (Sub-No. 1), filed September 28, 1970. Applicant: COASTAL TRANSPORT CO., INC., 3009 South Post Oak Road, Post Office Box 22592, Houston, Tex. 77027. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except lumber), *gypsum and gypsum products*, and *materials and supplies* used in the manufacture, installation, or distribution thereof (except commodities in bulk), from the plantsite and storage facilities of United States Gypsum Co. at or near Galena Park, Tex., to points in Arkansas, Florida, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee, under contract with United States Gypsum Co. **NOTE:** Applicant is also authorized to operate as a *common carrier* under MC 120430 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 134969 (Sub-No. 1), filed September 30, 1970. Applicant: WALSH TRUCKING CO., a corporation, Bement, Ill. 61813. Applicant's representative: Charles R. Young, 4 West Seminary Street, Danville, Ill. 61832. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes; transporting: *Corrugated plastic drainage tubing and fittings*, between Arthur, Ill., and points in Ohio, Indiana, Kentucky, Missouri, Iowa, and Wisconsin, under contract with Advanced Drainage of Illinois, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Springfield or Chicago, Ill.

No. MC 134971, filed September 28, 1970. Applicant: PINE TREE LEASING CORPORATION, 2 Rudman Road, Brewer, Maine 04412. Applicant's representative: Bruce A. Coggeshall, Room 902, 465 Congress Street, Portland, Maine 04111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Bottled spring water*, from Brewer, Maine, to points in Connecticut, District of Columbia, Florida, Georgia, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, and Virginia; (b) *carbonated beverages* (except in bulk), *advertising material* when moving in connection thereto, *flavoring syrup and concentrate* (except in bulk) and *sugar*, from Ayer, Springfield, Needham, and Boston, Mass.; Syracuse, Cicero, and New York, N.Y.; and points in Bergen County, N.J.; and Philadelphia, Pa., to Brewer, Maine; (c) *malt beverages* and *advertising material* when moving in connection thereto, from Boston, Mass.; Providence and Cranston, R.I.; New York, N.Y.; and points in Bergen County, N.J., to Brewer, Maine; and (d) *glass containers*, from Westwood and Framingham, Mass.; Dayville, Conn.; Orangeburg, N.Y.; Clifftwood and Bridgeton, N.J.; and Glenshaw, Pa.; to Brewer, Maine. **Restriction:** The operations here sought to be authorized are limited to a transportation service to be performed under a continuing contract or contracts with Pepsi-Cola Bottling Co. of Bangor, Poland Spring Water of Maine, Inc., and Haffenreffer Beverage Co. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 134983, filed October 2, 1970. Applicant: MID CONTINENT TRUCKING COMPANY, a corporation, 204 Morningside Drive, Denison, Iowa 51442. Applicant's representative: Richard A. Kerwin, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities* as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers, as defined in sections A, B, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766; (1) from points in Iowa, points in Nebraska on and east of U.S. Highway 183, points in Minnesota on and south of U.S. Highway 212 and Caldwell, Idaho, to San Francisco, Oakland, and San Jose, Calif.; Portland, Oreg., and Seattle, Wash.; and (2) between Portland, Oreg., on the one hand, and, on the other, San Francisco, Oakland, and San Jose, Calif. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or San Francisco, Calif.

No. MC 134990, filed October 2, 1970. Applicant: J & L EQUIPMENT CO., INC., 138th and Racine Avenue, Blue

Island, Ill. 60406. Applicant's representative: Harold W. Marks, 208 South La Salle Street, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Engine sand*, from Bridgman, Mich., to Gibson, Ind., and Chicago and Chicago Heights, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

MOTOR CARRIER OF PASSENGERS

No. MC 125494 (Sub-No. 6), filed October 5, 1970. Applicant: D & M TAXI CO., INC., Post Office Box 38, Fort Dix, N.J. 08640. Applicant's representatives: John D. Hawke, Jr., and Kenneth A. Letzler, 1229 19th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, limited to the transportation of not more than 11 passengers in any one vehicle not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats, between points in Mercer County, N.J., on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Trenton, N.J., or Washington, D.C.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130106 (Sub-No. 1), filed September 30, 1970. Applicant: CROYDON STUDENT TOURS, INC., 173-53 Croydon Road, Jamaica, N.Y. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. For a license (BMC-5) to engage in operations as a *broker* at Jamaica, N.Y., in arranging for the transportation in interstate or foreign commerce of *passengers and their baggage*, individuals or groups, tour directors, in charter and special operations, in all-expense educational tours, beginning and ending at Jamaica, N.Y., and extending to points in the United States.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 125844 (Sub-No. 23), filed October 1, 1970. Applicant: BIO-MED-HU, INC., 8603 Preston Highway, Louisville, Ky. 40219. Applicant's representative: Ollie L. 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: (1) *Placentae, derivatives of placentae, subderivatives of derivatives of placentae, blood or derivatives of blood, subderivatives of derivatives of blood*, from points in the United States to points in Indiana and Kentucky, and from points in Indiana and Kentucky to points in the United States; and (2) *substances that are either chemically, physically, or structurally (individually or combined) analogous to placentae derivatives or subderivatives of*

derivatives of placentae, blood or derivatives of blood, cephalin, simplastin, thromboplastin, antihemophilic factors, antibodies, antiserum, cells, tissues, organs, cellular secretions, tissue and cellular culture and media, antigens, interferon, enzymes, albumin fractions, platelets, platelet factors, erythrocytes, leukocytes, immunosuppressants, immuno vaccine, fibrinogen fractions, immunoglobulins, plasmin, ceruloplasmin, cholinesterase, derivatives of above, materials, equipment, and supplies used with commodities named in paragraphs (1) and (2) above, between points in the United States.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[P.R. Doc. 70-14475; Filed, Oct. 28, 1970;
8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 23, 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. 42068—*Phthalic anhydride from Chicago, Ill.* Filed by Illinois Freight Association, agent (No. 362), for and on behalf of the Illinois Central Railroad Co. Rates on phthalic anhydride, in tank car loads, as described in the application, from Chicago, Ill., to Baton Rouge, La.

Grounds for relief—Market competition and rate relationship.

Tariff—Supplement 159 to Illinois Freight Association, agent, tariff ICC 1044.

FSA No. 42069—*Phosphate rock to Valleyfield, Quebec, Canada.* Filed by O. W. South, Jr., agent (No. A6202), for interested rail carriers. Rates on phosphate rock (other than ground phosphate rock), in carloads, as described in the application, from Bartow, Fla., and points grouped therewith, to Valleyfield, Quebec, Canada.

Grounds for relief—Rate relationship and market competition.

Tariff—Supplement 122 to Southern Freight Association, agent, tariff ICC S-658.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[P.R. Doc. 70-14546; Filed, Oct. 28, 1970;
8:48 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 26, 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. 42070—*Hominy feed and distillers spent grain mash to gulf ports for export.* Filed by Southwestern Freight Bureau, agent (No. B-194), for interested rail carriers. Rates on hominy feed and distillers spent grain mash, in carloads, as described in the application, from points in Arkansas, Colorado, Iowa, Kansas, Missouri (including East St. Louis, Ill.), Nebraska, Oklahoma, and Texas, to gulf ports, Pensacola, Fla., to Corpus Christi, Tex., for export.

Grounds for relief—Commodity relationship.

Tariffs—Supplement 68 to The Atchison, Topeka and Santa Fe Railway Co. tariff ICC 15044, and six other schedules named in the application.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[P.R. Doc. 70-14547; Filed, Oct. 28, 1970;
8:48 a.m.]

[Notice 180]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 26, 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 7832 (Sub-No. 12 TA), filed October 21, 1970. Applicant: SUPER M FOODS DELIVERY, INC., 500 West Edgar Road, Linden, N.J. 07036. 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: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses and department stores, between Penns-

ville, N.J., and Philadelphia, Pa., on the one hand, and, on the other, points in Connecticut, New Hampshire, Rhode Island, Massachusetts, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia, for 180 days. Restriction: The operations proposed are to be limited to service under the contract with Food Fair Stores, Inc. Supporting shipper: Food Fair Stores, Inc. 3175 John F. Kennedy Boulevard, Philadelphia, Pa. 19101. Send protests to: District Supervisor, Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 56679 (Sub-No. 44 TA), filed October 21, 1970. Applicant: BROWN TRANSPORT CORP., 125 Milton Avenue SE, Atlanta, Ga. 30315. Applicant's representative: B. K. McClain (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods, from Belding, Mich., to points in Indiana and Ohio, for 180 days. Supporting shipper: Indiana Summer, Inc., Post Office Box 152, 700 Kiddville Road, Belding, Mich. 48809. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 80389 (Sub-No. 3 TA), filed October 21, 1970. Applicant: RUSSELL E. HARTHCOCK, doing business as ACTION MURRAY VAN LINES, 1855 West Hovey, Springfield, Mo. 65804. Applicant's representative: John E. Burruss, Jr., Central Trust Building, Jefferson City, Mo. 65101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fresh meats, meat products, meat by-products, packinghouse products, cheese, dairy products, foodstuffs and food products, all requiring temperature control, and advertising or display material used in connection with the display and sale of such commodities, from points in Madison and St. Clair Counties, Ill., to points in Vernon, Barton, Jasper, Newton, McDonald, Barry, Lawrence, Dade, Cedar, St. Clair, Hickory, Polk, Greene, Stone, Taney, Christian, Webster, Dallas, Camden, Laclede, Wright, Douglas, Ozark, Howell, Texas, Pulaski, New Madrid, Dunklin, Pemiscot, Mississippi, Stoddard, Butler, Ripley, Oregon, Shannon, Reynolds, Bollinger, Scott, Perry, Cape Girardeau, Ste. Genevieve, and Carter Counties, Mo., for 180 days. Supporting shipper: Swift & Co., National Stock Yards, St. Clair County, Ill. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 83539 (Sub-No. 301 TA), filed October 21, 1970. Applicant: C. H. TRANSPORTATION CO. INC., 2010 West Commerce Street, Post Office Box 5976, 75222 Dallas, Tex. 75208. Applicant's representative: Kenneth Weeks (same address as above). Authority sought to operate as a common carrier,

by motor vehicle, over irregular routes, transporting: *Plywood, lumber, and flooring*, from plantsite of Birmingham Forest Products, Inc., near Cordova, Ala., to points in California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Kansas, Maryland, Massachusetts, Michigan, Nebraska, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Washington, West Virginia, and District of Columbia, for 180 days. NOTE: Applicant does not intend to tack the authority sought. Supporting shipper: U.S. Plywood-Champion Papers, Inc., Knightbridge Drive, Hamilton, Ohio. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 513 Thomas Building, 1413 Wood Street, Dallas, Tex. 75202.

No. MC 105566 (Sub-No. 25 TA), filed October 21, 1970. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, 1507 Independence, Cape Girardeau, Mo. 63701. Applicant's representative: Thomas F. Kilroy, 405-S Crystal Plaza, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from the plantsite and/or storage facilities utilized by Armour & Co. at or near Sioux City, Iowa, to points in North Carolina and South Carolina, for 180 days. Supporting shipper: Armour & Co., 111 East Wacker Drive, Ill. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 3428, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 107064 (Sub-No. 81 TA), filed October 21, 1970. Applicant: STEERE TANK LINES, INC., Post Office Box 2998, 75221, 2808 Fairmount Street, Dallas, Tex. 75201. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from points in Ector County, Tex., to points in Continental United States, except those in New Mexico, Colorado, Arizona, and Alaska, for 180 days. Supporting shipper: El Paso Products Co., Post Office Box 3986, Odessa, Tex. 79760. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 107295 (Sub-No. 463 TA), filed October 21, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, Post Office Box 146, 110 South Main Street, Farmer City, Ill. 61482. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural*

steel, roof decks, steel joists, steel sheets, steel beams, steel trusses, steel channels, steel plates, steel bars, steel braces, and accessories and parts used in the erection and completion of these products, from the plantsite and warehouse facilities of Macomber, Inc., at Canton and Fairhope, Ohio, to points in Alabama, Arizona, California, Colorado, Connecticut, Delaware, Florida, Idaho, Kansas, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Vermont, Washington, West Virginia, Wyoming, and the District of Columbia, for 180 days. Supporting shipper: Macomber Inc., Canton, Ohio, 44701. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 107496 (Sub-No. 793 TA), filed October 21, 1970. Applicant: RUAN TRANSPORT CORPORATION, Third Street and Keosauqua Way, Post Office Box 855, 50304, Des Moines, Iowa 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sand*, in bulk, in tank vehicles, from Muscatine, Iowa, to points in Illinois (except Silvis), for 150 days. Supporting shipper: Northern Gravel Co., Muscatine, Iowa 52761. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 114632 (Sub-No. 31 TA), filed October 21, 1970. Applicant: APPLE LINES, INC., Post Office Box 507, 225 South Van Epps, Madison, S. Dak. 57042. Applicant's representative: Robert A. Appelwick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and packinghouse products*, as set forth in sections A and C, *Descriptions in Motor Carrier Certificates*, 61MCC209 and 766 (except hides and commodities in bulk), from Estherville, Iowa, and Sioux Falls, S. Dak., for 180 days. Supporting shipper: John Morrell & Co., 1400 North Weber Avenue, Sioux Falls, S. Dak. 57104. Claude Stewart, Traffic Manager. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 119732 (Sub-No. 10 TA), filed October 20, 1970. Applicant: PLAINFIELD TRUCKING, INC., Plainfield, Wis. 54966. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials, and agricultural chemicals*, such as but not limited to insecticides, herbicides, fungicides, pesticides and rodenticides, when shipped with fertilizer or fertilizer ma-

terials, from the plant and warehouse facilities of Swift Agricultural Chemicals Corp. at Almond, Wis., to points in Illinois, Indiana, Iowa, the Upper Peninsula of Michigan, Minnesota, and Wisconsin, limited to a transportation service to be performed under a continuing contract, or contracts, with Swift Agricultural Chemicals Corp., Chicago, Ill., for 180 days. Supporting shipper: Swift Agricultural Chemicals Corp., 2 North Riverside Plaza, Chicago, Ill. 60606. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 West Wilson Street, Room 206, Madison, Wis. 53703.

No. MC 128527 (Sub-No. 15 TA). 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: *Meat and meat products*, from the plantsite of Idaho Meat Packers, Inc., at Caldwell, Idaho, to Spokane, Seattle, Tacoma, Fort Lewis, and McChord Air Force Base, Wash., for 150 days. NOTE: Applicant does not intend to tack or interline the authority here applied for. Supporting shipper: Idaho Meat Packers, Inc., Post Office Box 550, Caldwell, Idaho 83605. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 455 Federal Building and U.S. Courthouse, Boise, Idaho 83702.

No. MC 134930 (Sub-No. 1 TA), filed October 21, 1970. Applicant: SAM VI-VELO, doing business as TRI-COUNTY DELIVERY, 987 North Ward Avenue, Girard, Ohio 44420. Applicant's representative: Bernard S. Goldfarb, 1625 The Illuminating Building, Cleveland, Ohio 44113. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Retail merchandise* for the account of the W. T. Grant Co., from Austintown, Warren, and Youngstown, Ohio, to points in Pennsylvania within 50 miles of Youngstown, Ohio, for 180 days. Supporting shipper: W. T. Grant Co., Youngstown, Ohio. Send protests to: District Supervisor G. J. Baccei, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Building, Cleveland, Ohio 44199.

No. MC 135005 TA, filed October 21, 1970. Applicant: BARRETT TRANSFER AND STORAGE CO., 3812 Northeast Fourth Street, Renton, Wash. 98005. Applicant's representative: George R. La-Bissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from points in Washington, and Idaho, to Seattle, Wash., restricted to traffic moving in shipper or carrier owned or leased trailer destined to Alaska, for 180 days. Supporting shippers: Bear Run Inc., 1039 Northeast 97th Street, Seattle, Wash. 98115. A. J. Johnson & Co., Post Office Box 1525, Tacoma, Wash. Send protests

to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

MOTOR CARRIERS OF PASSENGERS

No. MC 135006 TA, filed October 21, 1970. Applicant: RELIABLE COACH COMPANY, a corporation, 274 First Street, Hackensack, N.J. 07601. Applicant's representative: Edward Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Passengers*, between 34th Street between 7th and 8th Avenues, at Manhattan Center, New York, N.Y., and plantsite of Felsway Corp., 994 Riverview Drive, Totowa, N.J. 07512 for 150 days. Supporting shipper: The Felsway Corp., 994 Riverview Drive, Totowa, N.J. 07512. Send protests to: District Supervisor Joel Morrings, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[F.R. Doc. 70-14548; Filed, Oct. 28, 1970;
8:48 a.m.]

[Notice 607]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 26, 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-72121. *Republication.** By order of August 17, 1970, the Motor Carrier Board approved the transfer to Joe and Michael Coury, a partnership, St. Paul, Minn., of that portion of the operating rights in certificate No. MC-10935 issued April 23, 1970, to Paul D. Kessler, doing business as Paul Kessler Trucking, Dresser, Wis., authorizing the transportation of general commodities, with specified exceptions, from South St. Paul, St. Paul, New Port, and Minneapolis, Minn., to the towns of Osceola, Garfield, Lincoln, Balsam Lake, and St. Croix Falls, Wis. S. Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403, representative for applicants.

* Republished to correct the route description. The time for filing petitions expired Sept. 15, 1970.

No. MC-FC-72386. By order of October 22, 1970, the Motor Carrier Board approved the transfer to Franklin McDowell, doing business as F. McDowell Lafferty Stage Line, 1726 Franklin Street, Port Townsend, Wash. 98368, of the certificate of registration in No. MC-99039 (Sub-No. 1) (Corrected) issued March 2, 1965, to J. J. Lafferty, 615 Lawrence Street, Port Townsend, Wash. 98368, evidencing a right to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in certificate No. 501 as reissued July 17, 1964, by the Washington Utilities and Transportation Commission.

No. MC-FC-72422. By order of October 21, 1970, the Motor Carrier Board approved the transfer to Valley Transportation, Inc., Oxford, Conn., of the operating rights in certificates Nos. MC-109865 (Sub-No. 5), MC-109865 (Sub-No. 6), MC-109865 (Sub-No. 10), and MC-109865 (Sub. No. 11) issued February 16, 1965, July 1, 1965, April 27, 1965, and March 8, 1968, respectively, to George H. Kuss, doing business as Valley Transportation Co., Oxford, Conn., authorizing the transportation of passengers and their baggage, in the same vehicle, in special operations, during the respective racing seasons, between Bridgeport, Conn., and points on U.S. Highway 1 between Bridgeport, Conn., and the Connecticut-New York State line, on the one hand, and, on the other, the sites of the Aqueduct, Jamaica, and Belmont race tracks, Long Island, N.Y., and the sites of the Roosevelt Raceway at Westbury, N.Y., and the Yonkers Raceway at Yonkers, N.Y.; between Bridgeport, Conn., and points on U.S. Highway 1 between Bridgeport and the Connecticut-New York State line, on the one hand, and, on the other, the site of Saratoga Springs Racetrack, Saratoga Springs, N.Y.; between Waterbury, Naugatuck, Beacon Falls, Seymour, Ansonia, Derby, and Shelton, Conn., on the one hand, and, on the other, the sites of Aqueduct, Jamaica, and Belmont Racetracks and Roosevelt Raceway, Long Island, N.Y., Empire Race Track, Yonkers, N.Y., and Saratoga Springs Racetrack, Saratoga Springs, N.Y.; passengers and their baggage, and express and newspapers in the same vehicle with passengers, between Waterbury, Conn., and Bridgeport, Conn., serving all intermediate points, over Connecticut Highway 8; and passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, from Trumbull, Conn., and points within 30 miles of Trumbull, to points in New York, New Jersey, Massachusetts, Rhode Island, and Pennsylvania, and return. L. C. Major, Jr., Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314, attorney for applicants.

No. MC-FC-72429. By order of October 21, 1970, the Motor Carrier Board approved the transfer to Boos Grain & Fertilizer, Inc., Highland, Kans., of the operating rights in certificate No. MC-7073 issued February 11, 1965, to Eugene E. Boos and Richard F. Boos, a partnership, doing business as Boos Grain &

Fertilizer Co., Highland, Kans., authorizing the transportation of livestock and agricultural commodities, over a regular route (U.S. Highway 36) from Highland, Kans., to St. Joseph, Mo., serving intermediate and off-route points in Kansas within 10 miles of Highland; feed, livestock, and building and fencing materials, from St. Joseph, Mo., to Highland, Kans., over the same route, serving intermediate and off-route points within 10 miles of Highland; farm machinery, knocked down or set up, and parts therefor, and feed and fertilizer, from Kansas City, Mo., to Highland, Kans., and points in Kansas within 10 miles of Highland, and fertilizer and ice (except dry ice), from St. Joseph, Mo., to Highland, Kans., and points in Kansas within 10 miles of Highland. J. David Harden, Jr., 600 Leininger Building, Oklahoma City, Okla. 73112, attorney for applicants.

No. MC-FC-72434. By order of October 21, 1970, the Motor Carrier Board approved the transfer to Lee Martinovich, doing business as L M Trucking, Box 28, Babcock, Wis. 54413, of the operating rights in permit No. MC-129295 issued August 2, 1968, to Wallace Roder, Route 2, Pittsville, Wis. 54466, authorizing the transportation of animal feeds and animal feed ingredients, from Pittsville, Wis., to points in the Upper Peninsula of Michigan and points in Minnesota (except points in the Minneapolis-St. Paul, Minn., commercial zone).

[SEAL] ROBERT L. OSWALD,
Secretary.

[F.R. Doc. 70-14549; Filed, Oct. 28, 1970;
8:48 a.m.]

[S.O. 994; ICC Order No. 47; Amdt. 2]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

Car Distribution

Upon further consideration of ICC Order No. 47 (The Chicago, Rock Island and Pacific Railroad Co.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 47 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1970, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., October 31, 1970, and 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., October 22, 1970.

INTERSTATE COMMERCE
COMMISSION,
LEWIS R. TEEPLE,
Agent.

[F.R. Doc. 70-14550; Filed, Oct. 28, 1970;
8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—OCTOBER

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

3 CFR	Page	7 CFR—Continued	Page	7 CFR—Continued	Page
PROCLAMATIONS:		833	15741	PROPOSED RULES—Continued	
3279 (modified by Proc. 4018)	16357	863	16235	1049	15396, 16687
3969 (see Proc. 4018)	16358	864	15741	1050	15396, 16687
3990 (see Proc. 4018)	16358	873	16238	1060	15396, 16687
4015	15799	892	15361, 16075	1061	15396, 16474, 16687
4016	15895	905	16075	1062	15396, 16687
4017	16233	907	16359	1063	15396, 15446, 16475, 16687
4018	16357	908	15286, 15803, 16625	1064	15396, 16687
4019	16673	909	15980	1065	15396, 16687
		910	15439, 15981, 16313, 16585	1068	15396, 16687
EXECUTIVE ORDERS:		911	16626	1069	15396, 16687
July 2, 1910 (revoked in part by PLO 4921)	16587	912	15287	1070	15396, 15446, 16475, 16687
Aug. 8, 1914 (revoked in part by PLO 4920)	16087	913	15981, 16314, 16586	1071	15396, 16687
6276 (revoked in part by PLO 4918)	16086	915	16627	1073	15396, 16687
10001 (see EO 11563)	15435	926	15744	1075	15396, 16687
10202 (see EO 11563)	15435	927	15744	1076	15396, 16687
10292 (see EO 11563)	15435	931	15745	1078	15396, 16687
10659 (see EO 11563)	15435	932	15631	1079	15396, 15646, 16475, 16687
10735 (see EO 11563)	15435	947	15631	1090	15396, 16687
10984 (see EO 11563)	15435	966	16628	1094	15396, 16687
11098 (see EO 11563)	15435	971	16360, 16731	1096	15396, 16687
11119 (see EO 11563)	15435	981	15900	1097	15396, 16687
11145 (amended by EO 11565)	16155	982	16239, 16361	1098	15396, 16687
11241 (see EO 11563)	15435	984	16527, 16678	1099	15396, 16687
11360 (see EO 11563)	15435	987	15981, 16398	1101	15396, 16687
11497 (see EO 11563)	15435	989	15631, 16037, 16240, 16467	1102	15396, 16687
11537 (see EO 11563)	15435	1004	15287	1103	15396, 16687
11563	15435	1006	15439	1104	15396, 16687
11564	15801	1012	15439	1106	15396, 16687
11565	16155	1013	15439	1108	15396, 16687
11566	16675	1062	15362	1120	15396, 16000, 16687
		1063	15632	1121	15396, 16000, 16687
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:		1134	15363	1124	15396, 16687
Reorganization Plan No. 3 of 1970	15623	1136	15365	1125	15396, 16687
Reorganization Plan No. 4 of 1970	15627	1427	15901	1126	15396, 16000, 16687
See EO 11564	15801	1803	16399	1127	15396, 16000, 16687
		1805	16402	1128	15396, 16000, 16687
				1129	15396, 16000, 16687
4 CFR		PROPOSED RULES:		1130	15396, 16000, 16687
105	16397	52	15760	1131	15396, 16687
		58	16257, 16412	1132	15396, 16687
5 CFR		81	15817	1133	15396, 16687
213	14370, 15439, 15975, 16309, 16359, 16397, 16398, 16467, 16585	815	16594	1134	15396, 16687
352	16525	909	16637	1136	15396, 16687
550	16309	919	16054	1137	15396, 16687
771	15803	929	16736	1138	15396, 16687
870	15897	930	15817		
871	15897	966	15999	8 CFR	
890	16585	967	16736	100	16361
2470	16310	971	15302, 15760	103	16361
2471	16310	982	15446	212	16361
		984	15836, 16000	238	16361
7 CFR		987	16545, 16637	242	16362
20	16398	989	16090	287	16362
81	15739, 16677	991	16638	316a	16362
301	15285, 15897	1001	15396, 15927, 16687	PROPOSED RULES:	
319	16678	1002	15396, 15927, 16687	3	16545
354	16678	1004	15396, 15927, 16687	214	16410
601	16157	1006	15396, 16687	242	16684
711	15355, 16235	1007	15396, 16687	243	16684
722	16311, 16312	1011	15396, 16687	264	16256
723	15975	1012	15396, 16687	335	16256
728	16527	1013	15396, 16687		
		1015	15396, 15927, 16687	9 CFR	
		1030	15396, 16687	56	16240, 16314
		1032	15396, 16687	71	15902
		1033	15396, 16687	74	16075
		1036	15396, 16687	76	15370, 15633, 15745, 15902, 15903, 16038, 16076, 16163, 16314, 16362, 16468, 16528, 16629, 16731
		1040	15396, 16687		
		1043	15396, 16687		
		1044	15396, 16687		
		1046	15396, 16687		

9 CFR—Continued	Page
78	16076
109	16039
113	16039
114	16040
121	16041
Ch. III	15552
PROPOSED RULES:	
317	15836, 15837
10 CFR	
PROPOSED RULES:	
2	16687
50	16687
12 CFR	
204	15903
610	15803
PROPOSED RULES:	
217	16324
13 CFR	
120	16163
123	16167
PROPOSED RULES:	
121	15844, 16185
14 CFR	
21	15288
37	15288
39	15633-15635, 15803, 16804, 16041, 16468, 16589, 16590
71	15371, 15635, 15746, 15804, 15904-15908, 15982, 15983, 16171, 16172, 16241, 16242, 16315, 16468, 16469, 16591, 16636, 16677, 16732
73	15983
75	15908, 16677
93	16591, 16636
95	15747
97	15440, 15748, 16315, 16528, 16732
121	15288, 16041
127	15288
135	15288
145	15288
208	15983
212	16529
214	16529
295	15985
385	15636
389	15986
PROPOSED RULES:	
1	16641
23	16179
37	16685
47	16321
71	15303, 15404, 15405, 15647, 15648, 15763, 15935-15937, 16005, 16055, 16179, 16180, 16258, 16321, 16374, 16780, 16595, 16596, 16686
73	15405, 15938
75	16005
91	16179, 16740
121	16740
123	16641
127	16740
206	15938
221	16006
241	16374
242	15842
250	15764
399	16006, 16322

15 CFR	Page
1000	15671
373	16530
375	16531
379	16531
385	16531
386	16532
390	16532
16 CFR	
13	15804-15811, 16363-16370, 16469-16471, 16535, 16732
500	16536
503	16536
PROPOSED RULES:	
428	15765
430	15842
431	16007
501	15843
17 CFR	
201	15440
231	16733
241	16733
249	16537
271	16733
PROPOSED RULES:	
230	15447
18 CFR	
3	15636
154	15908, 15986, 16077
157	15986, 16077
201	15908
260	15908
PROPOSED RULES:	
2	15406, 16324
4	16324
5	16324
101	15648
104	15648
141	15648
154	16743
157	15446, 16324, 16744
201	15648, 15939
204	15648, 15939
205	15939
260	15648, 15939, 16548
19 CFR	
4	15636, 15637, 15910
8	15911, 16243
16	16403
111	16243
153	15911
174	16243
PROPOSED RULES:	
12	16594
25	16256
20 CFR	
PROPOSED RULES:	
405	16639
21 CFR	
2	15749, 15911, 15912
3	16316
15	15749
17	15749
22	16586
46	15989
120	15990, 16630
121	15372, 15991, 15992, 16041, 16042, 16317, 16537, 16586, 16630, 16631

21 CFR—Continued	Page
130	16631
135	16538
135e	15992
135g	15372
138	15811
141	15637
141a	15749
141b	15749, 15750
146a	15749
146b	15749, 15750
148a	16042
148i	15750
148z	16043
149W	15637
PROPOSED RULES:	
3	15402, 15761, 15934
19	16546
30	15403
125	16737
130	15761, 16638
146	15761
146c	15762
191	16055
22 CFR	
41	15912
211	15751
24 CFR	
200	15752
207	15754
213	15754
221	15755
232	15755
1914	15442, 16044, 16318, 16533
1915	15442, 16044, 16319, 16534
25 CFR	
80	16045
26 CFR	
13	15913
31	16538
147	16243
301	16538
601	15916, 16593
PROPOSED RULES:	
1	15935, 16049, 16320, 16408, 16545, 16736
53	15302
301	16049, 16408
28 CFR	
0	16084, 16317
2	15288
29 CFR	
785	15288
794	16510
PROPOSED RULES:	
519	16413
526	15761, 16479
697	16090
728	16479
729	16479
1520	15933
30 CFR	
PROPOSED RULES:	
503	16548

31 CFR		41 CFR		46 CFR	
	Page		Page		Page
0	16244	1-1	15994	137	16371
90	15922	5A-1	16632	528	16679
92	15922	5A-2	16172, 16632	PROPOSED RULES:	
93	15922	5A-16	16172, 16632	69	16091
407	16472	5B-16	15755	201	16320
32 CFR		8-1	15755	542	16374
93	16085	8-2	15756	47 CFR	
172	16473	8-3	15757	0	15386
175	16473	8-7	15757	1	15289, 15387, 16247, 16404
197	16473	9-7	16473	2	15644
581	15992	9-15	16473	17	16404
805	15443	9-16	16473	61	16247
808	15443	12B-1	16172	73	15644,
822	15443	101-2	15642		15811, 15814, 16173, 16371, 16682
840	15639	101-26	15995	74	15388, 16174
872	16085	101-29	15642	PROPOSED RULES:	
884	15382	105-61	15444	1	15304
887	16246	PROPOSED RULES:		2	15305
1631	15443	24-1	15837	21	16742
32A CFR		42 CFR		43	16742
BDC (Ch. VI):		34	15289	61	16742
BDC Notice 1	15640	71	16472	67	15648
BDC Notice 2	15641	73	16631	73	15304,
PROPOSED RULES:		78	15642		15765, 16055, 16056, 16091, 16181-
Ch. X	16411	81	15643,		16183, 16743
33 CFR		PROPOSED RULES:		74	16056, 16057, 16686
1	15922	72	16178, 16179	81	16092
110	15443	73	16479	49 CFR	
114	15922	81	16639	1	15996
117	15923, 15924	43 CFR		173	16634, 16683
204	16679	1810	15996	192	16405
207	16246, 16370, 16679	PUBLIC LAND ORDERS:		571	15290, 15293, 15757, 16734
PROPOSED RULES:		1659 (revoked in part by PLO		1033	15294,
110	15447	4919)	16086		15295, 15394, 15395, 16087, 16088,
117	15935, 16547	4852 (corrected by PLO 4912)	15644	1048	16174
36 CFR		4912	15644	1300	16406
50	15393	4913	15925	PROPOSED RULES:	
PROPOSED RULES:		4914	15997	23	16136
2	16375	4915	15997	173	16005, 16180, 16643
37 CFR		4916	15597	174	16180
5	16043	4917	16086	571	15304, 15764
38 CFR		4918	16086	Ch. X	16596, 16643
17	15924	4919	16086	1061	16480
21	15924, 16317	4920	16087	50 CFR	
39 CFR		4921	16587	10	15815
126	16587	4922	16587	17	16047
134	16587	4923	16588	28	16635
151	16734	4924	16588	32	15296,
742	16045	4925	16588		15299-15301, 15301, 15443, 15644-
PROPOSED RULES:		4926	16589		15646, 15759, 15815, 15816, 15998,
125	15999	4927	16633		16088, 16089, 16175, 16177, 16319,
44 CFR		4928	16633		16406, 16407, 16472, 16635, 16683
102	16633	45 CFR		33	15300, 15301, 15646, 16177
177	15290	177	15290	260	15925
PROPOSED RULES:		PROPOSED RULES:		PROPOSED RULES:	
170	16257	170	16257	240	16380







