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Part I



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This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

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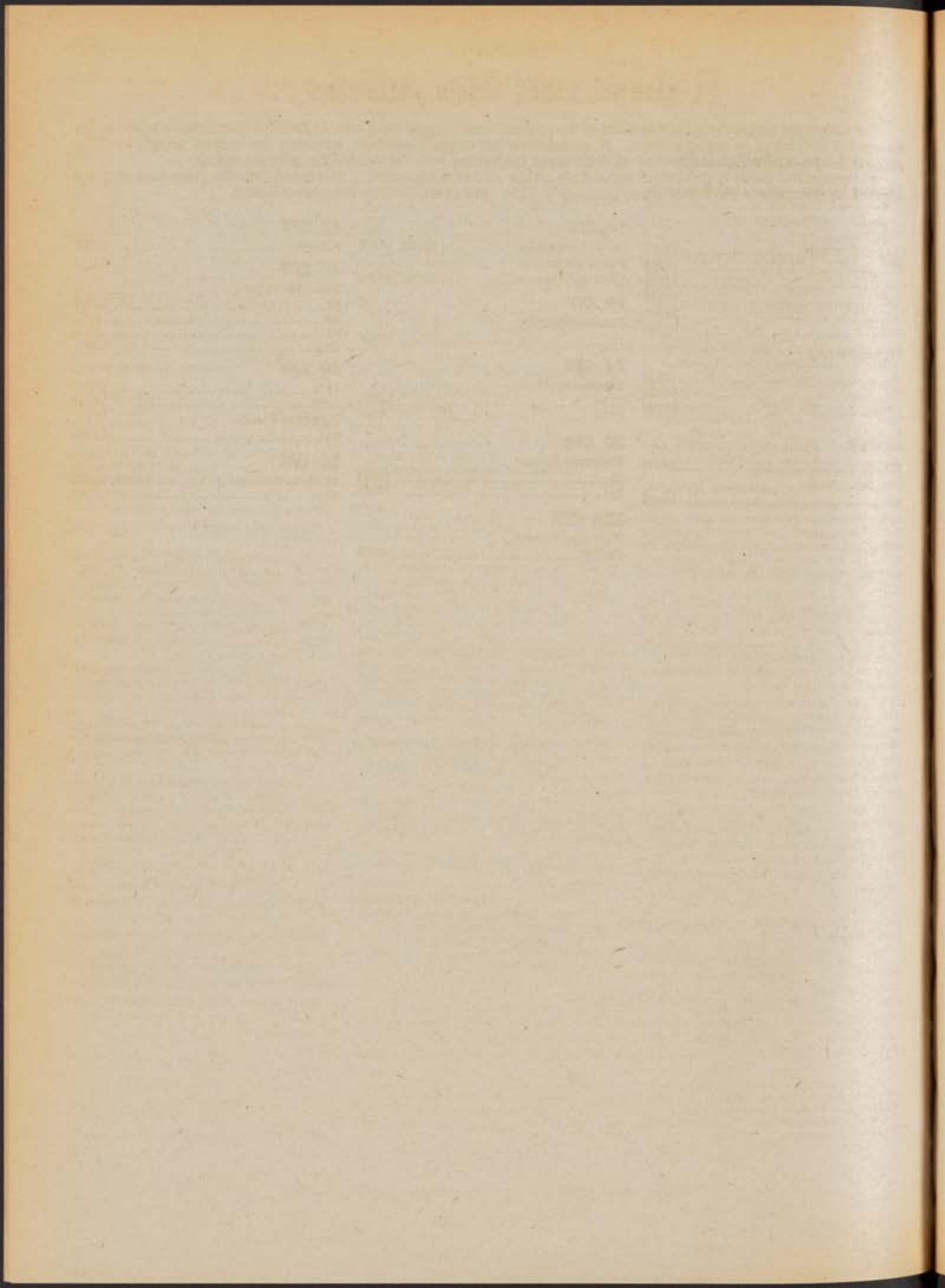
- See Customs Bureau.

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 following the Notices section 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, 1971, and specifies how they are affected.

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Rules and Regulations

Title 7—AGRICULTURE

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

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Subpart—United States Standards for Grades of Canned Fruit Cocktail¹

Liquid Media and Brix Measurements

The U.S. Standards for Grades of Canned Fruit Cocktail (7 CFR 52.1051 to 52.1064) are hereby amended pursuant to the authority of the Agricultural Marketing Act of 1946 (sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624).

Statement of consideration leading to the amendment. The Federal Food and Drug Standard of Identity for Canned Fruit Cocktail was amended to include slightly sweetened water, the density of which is less than 14° Brix, as optional packing media and became effective April 7, 1971.

Current USDA Grade Standards for Canned Fruit Cocktail are amended to include slightly sweetened water as a packing media. This amendment will bring the grade standards in line with the Food and Drug Standard of Identity and current packing practices.

It is hereby found that it is unnecessary and contrary to public interest to give preliminary notice, engage in public rule making procedure, or to postpone the effective date beyond the date of publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) in that:

(1) The Federal Food and Drug Standards of Identity now provide for slightly sweetened water as an optional packing media in canned fruit cocktail;

(2) It will not cause a change in packing practices;

(3) It will not affect the quality levels for canned fruit cocktail provided in the USDA Grade Standards; and

(4) It is in the interest of the public and canning industry to make this amendment effective at the earliest possible date.

The amendment is as follows:

In § 52.1054 the table of liquid media designations and Brix measurements is

changed by adding "Slightly Sweetened Water" thereto as follows:

Designations	Brix Measurement
"Extra heavy sirup" or "Extra heavy fruit juice sirup"-----	22° or more but not more than 35°.
"Heavy sirup" or "Heavy fruit juice sirup"-----	18° or more but less than 22°.
"Light sirup" or "Light fruit juice sirup"-----	14° or more but less than 18°.
"Slightly sweetened water"-----	Less than 14°.
"In water"-----	Not applicable.
"In fruit juice"-----	Not applicable.

This amendment to the U.S. Standards for Grades of Canned Fruit Cocktail which have been in effect since 1953 set forth herein shall become effective upon publication in the FEDERAL REGISTER (8-5-71).

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624)

Dated: July 30, 1971.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[FR Doc.71-11207 Filed 8-4-71; 8:48 am]

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Subpart—U.S. Standards for Grades of Canned Apricots¹

UNIFORMITY OF SIZE AND SYMMETRY

The U.S. Standards for Grades of Canned Apricots (7 CFR 52.2641 to 52.2657) are hereby amended pursuant to the authority of the Agricultural Marketing Act of 1946 (sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624).

Statement of consideration leading to the amendment. Current U.S. Standards for Grades of Canned Apricots contain a requirement under the factor of uniformity of size in the different grade classifications that states in part—"the weight of each half is not less than 3/8 ounce". Prior to February 23, 1971, this requirement was also contained in the Federal Food and Drug Standard of Quality for Canned Apricots. These standards were amended and became effective on the aforementioned date to

eliminate this minimum weight requirement in the style of halves.

The USDA grade standards for canned apricots are amended to also delete the minimum weight requirement, thereby bringing them in line with the Federal Food and Drug minimum quality standards.

It is hereby found that it is unnecessary and contrary to the public interest to give preliminary notice, engage in public rule making procedure, or postpone the effective date beyond the date of publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) in that:

(1) Apricot canning has started in most producing areas;

(2) The apricot canning industry is already prepared to include apricot halves less than two-fifths of an ounce in their packs; and

(3) It is in the interest of the public and the industry to make these amendments effective at the earliest possible date.

The amendments are as follows:

In § 52.2653 *Uniformity of size and symmetry*:

1. In paragraphs (c) (A) *classification*, (d) (B) *classification*, and (e) (C) *classification* the wording: "that the weight of each half is not less than 3/8 ounce" is deleted.

2. Paragraph (f) (D) and (SStd) *classification* is amended to read as follows:

(f) (D) and (SStd) *classifications*. Canned apricots of the applicable styles which fail to meet paragraph (e) of this section may be given a score of 0 to 13 points and shall not be grade above the following stated grade, regardless of the total score for the product (this is a limiting rule).

(1) Halves or whole canned apricots in which the weight of the largest full-size unit is more than twice the weight of the smallest full-size unit shall not be graded above U.S. Grade D and are also "Below Standard in Quality—Mixed Sizes".

(2) Unpeeled halves of canned apricots in which more than 30 percent, by count, of the units are off-suture cuts shall not be graded above U.S. Grade D.

These amendments to the U.S. Standards for Grades of Canned Apricots which have been in effect since August 17, 1962, set forth herein shall become effective upon publication in the FEDERAL REGISTER (8-5-71).

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624)

Dated: July 30, 1971.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[FR Doc.71-11232 Filed 8-4-71; 8:51 am]

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

Fees and Charges for Federal Rice Inspection Services

Pursuant to sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), the provisions of 7 CFR Part 68 are amended by (1) adopting a new § 68.42c (7 CFR 68.42c) prescribing fees and charges for the inspection of rice by Federal employees; (2) deleting § 68.42 (7 CFR 68.42); (3) adding a new § 68.42a; and (4) making certain other changes as explained below.

Inspection services under the Agricultural Marketing Act of 1946 are voluntary in nature. Further, the Act provides for the collection of fees equal as nearly as possible to the cost of the services rendered under its provisions.

Statement of considerations. Section 68.42 prescribes the fees and charges for certain Federal inspection services including the inspection of rice. Users of the rice inspection service find the format difficult to follow; therefore, it is concluded that the fees and charges for the inspection of rice should be grouped in a separate section.

Currently, the charge for checkloading, checkweighing, condition examination, and other special inspection services for rice is \$8.80 per hour. The time spent performing special inspection services varies per service call. As a result, applicants for inspection find it difficult to estimate their inspection costs in advance.

Members of the rice industry have recommended that in lieu of the hourly rate, a charge of \$0.0025 per 100 pounds be assessed for checkloading and special inspection services when performed concurrently with sampling and grading. Studies indicate that the additional charge of \$0.0025 per hundredweight will cover the Department's costs of providing such services. The hourly rate will be continued when the services are not performed concurrently with sampling and grading during packaging.

Members of the rice industry further recommend that there be no minimum fee for hourly services, because the fee is frequently excessive for small mills. It is believed that assessing a minimum of 2 hours per man per service call is excessive for small mills and is not needed. Accordingly, the minimum fee per service call is deleted.

§ 68.42 [Deleted]

1. Section 68.42 is deleted.

2. Section 68.45a is added to read as follows:

§ 68.42a Fees and charges for certain Federal inspection services.

The following fees and charges apply to the Federal inspection services specified below:

Service	Fee or Charge	Service	Fee or Charge
Appeal inspection:		(16) Cold test—oil	.75
(a) Basis original sample	(1)	(17) Color—bleached	2.10
(b) Basis new sample	(2)	(18) Color—Gardner	2.10
Bean, lentil, and pea inspection (including chick peas, cowpeas, split peas, and similar commodities):		(19) Color—Lovibond	2.10
(a) Lot inspection:		(20) Color—Wesson	2.10
(1) Field run (quality and dockage analysis)—per lot	\$5.60	(21) Color—oil and shortening	2.10
(2) Other than field run (grade, class, and quality)—per lot	4.20	(22) Congeal point	4.30
(In addition to the fee for analysis or grading in (1) and (2) above, a fee for sampling, checkweighing, and checkloading, if any, will be assessed at the prescribed rate.)		(23) Consistency	1.35
(b) Sample inspections:		(24) Cooking test	1.85
(1) Field run (quality and dockage analysis)—per lot	5.60	(25) Crude fat	2.25
(2) Other than field run (grade, class, and quality)—per sample	4.20	(26) Crude fiber	3.35
Checkloading—per man-hour	* 8.80	(27) Density	1.20
Checkweighing—per man-hour	* 8.80	(28) Diatomaceous earth—on grain	3.05
Condition examination—per man-hour	* 8.80	(29) Diastatic activity of flour	2.80
Extra copies of certificates—per copy	.75	(30) Enrichment—quick test	.85
Grade factor analysis (as defined in any official U.S. Standards) per factor	2.80	(31) Falling number	1.25
Hay and straw inspection:		(32) Fat—acid hydrolysis	4.40
(a) Lot inspection:		(33) Fat, crude	2.25
For sampling and grading—per man-hour	8.80	(34) Fat, extraction	2.25
(b) Sample inspection:		(35) Fat acidity	1.70
(1) Grade only—per sample	5.60	(36) Fat stability—AOM	4.80
(2) Factor analysis—per man-hour	8.80	(37) Fiber, crude	3.35
Hop inspection:		(38) Filth—heavy	3.05
(a) Lot inspection:		(39) Filth—light	4.85
(1) For seed, leaf, and stem content—per lot	6.65	(40) Flash point—open and closed cup	3.05
(2) Aphid infestation—per lot	8.80	(41) Flavor, odor, and appearance of oils	1.10
(In addition to the fee for analysis in (1) and (2) above, a charge for sampling, if any, will be assessed at the prescribed rate.)		(42) Foots — heated and/or chilled	2.15
(b) Sample inspection:		(43) Foreign material—processed grain products	2.65
(1) For seed, leaf and stem content—per sample	6.65	(44) Free fatty acids—oil and shortening	2.35
(2) Aphid infestation—per sample	8.80	(45) Gossypol, free	3.00
Laboratory testing:		(46) Grade and class of unprocessed grain	* 2.00
In addition to the charges, if any, for sampling or other requested service, a fee will be assessed for each laboratory analysis or test as follows:		(47) Heating test—oil and shortening	2.25
(1) Acetyl value	5.00	(48) Hydrogen-ion concentration—pH	1.70
(2) Acidity—Greek	1.70	(49) Insoluble bromides	2.20
(3) Acid value—oil	2.35	(50) Insoluble impurities—oil and shortening	2.80
(4) Appearance, flavor, and odor of oils	1.10	(51) Iodine number or value	2.60
(5) Ash	1.70	(52) Iron—enrichment	6.65
(6) Bacteria count	3.50	(53) Keeping time — oil and shortening	4.90
(7) Baking test—Bread	3.95	(54) Kjeldahl—protein	2.05
(8) Baking test—Prepared mix	3.05	(55) Linolenic acid	12.00
(9) Baume	4.50	(56) Lipid phosphoric acid	5.75
(10) Break test	3.05	(57) Loss on heating (oil)	1.35
(11) Calcium—AOAC	4.00	(58) Lysine	15.00
(12) Calcium enrichment	4.00	(59) Maltose value	2.80
(13) Calcium carbonate	4.00	(60) Marine oil in vegetable oil—qualitative	2.20
(14) Carotenoid color	4.50	(61) Melting point—Wiley	2.60
(15) Clarity of oils involving heating	1.45	(62) Milling—wheat to flour	4.05
		(63) Moisture—distillation	2.15
		(64) Moisture—oven	1.45
		(65) Moisture and volatile matter—oil and shortening	2.60
		(66) Nitrogen solubility index	2.60
		(67) Odor, appearance, and flavor of oils	1.10
		(68) Oil content—oilseeds	3.50
		(69) pH—Hydrogen-ion concentration	1.70
		(70) Peroxide value	1.75
		(71) Peroxide value after 8 hours AOM	4.80
		(72) Phosphorus—photometric	3.65
		(73) Popping value—popcorn	1.50
		(74) Potassium bromate — qualitative	.85
		(75) Potassium bromate — quantitative	3.25
		(76) Protein for cargo wheat—duplicate test required	* 5.45
		(77) Protein—Kjeldahl	2.05
		(78) Reducing sugars	8.40

See footnotes at end of document.

Service	Fee or Charge
(79) Refining loss—oils.....	5.75
(80) Refractive index.....	1.20
(81) Riboflavin.....	6.60
(82) Rope spore count.....	11.10
(83) Salt.....	3.50
(84) Saponification number.....	3.05
(85) Sedimentation value—wheat.....	* 1.25
(86) Sieve test.....	2.20
(87) Smoke point.....	1.40
(88) Softening point.....	4.30
(89) Solid fat index.....	9.90
(90) Solubility in alcohol (oil).....	1.10
(91) Specific baking volume—prepared mix.....	3.05
(92) Specific gravity—oils.....	2.95
(93) Test weight per bushel—other than grain.....	1.20
(94) Unsaponifiable matter.....	5.80
(95) Urease activity.....	2.25
(96) Viscosity—Gardner-Holdt—oils.....	1.50
(97) Viscosity—Saybolt.....	3.85
(98) Water soluble protein.....	2.60
(99) Xanthidrol test for rodent urine.....	2.50
(If a requested analysis or test is on the basis of a specified moisture content, a charge for an oven moisture test will also be made.)	
Lentil inspection: (See Bean inspection)	
Minimum fee for services covered by hourly rates—a minimum fee for 2 hours per man, per service request, will be assessed at the applicable hourly rate.	
New inspection (retest)—fees and charges to be based on services requested.	
Pea inspection: (See Bean inspection)	
Split pea inspection: (See Bean inspection)	
Standby time per man-hour.....	8.80
Straw inspection: (See Hay inspection)	

Service	Fee or Charge
Appeal inspection:	
(a) Basis original sample.....	(¹)
(b) Basis new sample.....	(²)
Checkloading—per man-hour.....	*\$8.80
Checkweighing—per man-hour.....	* 8.80
Condition examination—per man-hour.....	* 8.80
Extra copies of certificates—per copy.....	.75
Grade factor analysis (as defined in any official U.S. Standards) per factor.....	2.80
Lot inspection:	
(a) For sampling, inspection for grade, factor analysis, equal to type, or milling yield—whether singly or combined	
(1) Per 100 lbs.....	* 0.0125
(2) Minimum fee—per lot:	
Milled rice.....	2.50
Brown rice or rough rice.....	4.00
(b) For checkloading, condition examination, and/or special inspection services when performed concurrently during packaging with sampling, inspection for grade, factor analysis, equal to type, or milling yield	
(1) Per 100 lbs.....	* 0.0150
(2) Minimum fee—per lot:	
Milled rice.....	2.50
Brown rice or rough rice.....	4.00
(c) For sampling and inspection for origin	
(1) Per 100 lbs.....	* 0.005
(2) Minimum fee—per lot.....	2.00
(d) For inspection for origin when inspected for grade, factor analysis, equal to type, or milling yield—per lot.....	1.00
Sample inspection for grade, factor analysis, equal to type, or milling yield—whether singly or combined—per sample:	
(a) Brown rice or rough rice (including milling yield).....	3.50
(b) Brown rice or rough rice (excluding milling yield).....	2.00
(c) Milled rice.....	2.00
Sampling per man-hour.....	* 8.80
Special inspection service per man-hour.....	* 8.80
Standby time per man-hour.....	8.80
Type samples, rice milling degrees.....	* 50.00

The need for amendment to the rice inspection fees and charges is dependent on facts within the knowledge of the Consumer and Marketing Service. The amendment of the fees should be made effective as soon as possible in order to

¹ One quarter of the fee for the original inspection. Minimum fee, if any, \$8.80.
² Applicable sampling charge, if any, plus applicable grading fee.
³ Only one fee will be charged for these services whether performed singly or concurrently.
⁴ In the case of railroad cars, the weight shall be based on weight tickets, or weight certificates, if available at the time of inspection; otherwise, on the marked capacity of the railroad car.
⁵ The type samples illustrate the lower limit for milling degrees only. Type samples will be available for examination at, or may be purchased from the Grain Inspection Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, 6525 Belcrest Road, Hyattsville, MD 20782. Type samples will also be available for examination at selected Field Offices of the Grain Division. A list of the Field Offices may be obtained from the above address.

be of maximum benefit to those who use the rice inspection service. Therefore, under the administrative procedure provisions of 5 U.S.C. § 553, it is found upon good cause that notice and other public rule-making procedures on the amendment are impracticable and unnecessary and that this amendment shall become effective less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 203, 205, 60 Stat. 1087, 1090, as amended; 7 U.S.C. 1622, 1624)

This amendment shall become effective upon publication in the FEDERAL REGISTER (8-5-71).

Done in Washington, D.C., this 30th day of July 1971.

G. R. GRANGE,
 Deputy Administrator,
 Marketing Services.

[FR Doc.71-11231 Filed 8-4-71; 8:50 am]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment); Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 6]

PART 725—FLUE-CURED TOBACCO

Subpart—Flue-Cured Tobacco, 1970-71 and Subsequent Marketing Years

MISCELLANEOUS AMENDMENTS

Basis and purpose. This amendment is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281, et seq.).

The main purpose of this amendment is to relax the provision of the regulation which prohibits warehousemen from retaining producer marketing cards at the warehouse between sales. The basis for the change is to facilitate the scheduling of farmers' tobacco to warehouses to reduce congestion at the marketplace. Other minor changes are included.

The changes needed in the regulations to put this amendment into effect are described as follows:

- Section 725.51(h) changes the definition of Director to conform to an organizational change.
- Section 725.87(a) (1) is amended to add Florida to the States where harvested acreage will be entered on the faces of marketing cards.
- Section 725.99(a) (4) is amended to eliminate "Commodity Programs Division" in referring to the Director.
- Section 725.107 is amended to change the name "Commodity Programs Division" to "Commodity Stabilization Division" to conform to an organizational change and to require that records to be retained by warehousemen shall include the journal of producer marketing cards retained at the warehouse.
- A new § 725.112 is added to establish provisions for warehouses to retain producer marketing cards between tobacco sales, with the grower's permission, if the warehouse operator has executed and filed a "Request for Authorization to

3. A new § 68.42c is added to read as follows:

§ 68.42c Fees and charges for Federal rice inspection services.

The following fees and charges apply to the Federal rice inspection services specified below:

¹ The applicable grading or laboratory analysis or testing charge. Minimum fee, if any, \$8.80.
² Applicable sampling charge, if any, plus applicable grading, or laboratory analysis or testing fee.
³ Only one fee will be charged for these services whether performed singly or concurrently. (But see minimum fee requirement.)
⁴ To be used only in conjunction with the inspection of a processed product for compliance with contract specifications.
⁵ No sampling fee will be assessed if a portion of an appeal sample, licensed inspector's sample, or submitted sample is used for these tests. (In no instance will more than one sampling fee be assessed per service request.)

Retain Producers' Tobacco Marketing Cards".

Since warehouse operators are currently making plans for the opening of tobacco auction markets in the Georgia-Florida Area it is essential that this amendment be effective at the earliest possible date. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest. The amendment contained herein shall become effective upon the date of filing with the Director, Office of the Federal Register.

1. Section 725.51(h) is amended to read as follows:

§ 725.51 Definitions.

(h) *Director.* The Director, or Acting Director, Commodity Stabilization Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

2. The fourth sentence of subparagraph (1) of paragraph (a) of § 725.87 is amended as follows:

§ 725.87 Issuance of marketing cards.

(a) *General.* (1) * * * For cards issued in Florida, North Carolina, South Carolina, and Virginia, the harvested acreage shall be shown on the face of the card. * * *

3. The third sentence of § 725.99(a) (4) is amended as follows:

§ 725.99 Warehouseman's records and reports.

(a) *Record of marketing.* * * *
(4) *Tobacco sale bill and daily warehouse sales summary.* * * * Copies of the suggested format may be obtained from the Director. * * *

4. Section 725.107 is amended to read as follows:

§ 725.107 Examination of records and reports.

For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining the information required to be furnished, in any report, but not so furnished, any warehouseman, processor, dealer, buyer, trucker, or person engaged in the business of sorting, redrying, prizing, stemming, packing, or otherwise processing tobacco for producers, shall make available at one place for examination by representatives of the State executive director and by employees of the Office of the Inspector General, and of the Commodity Stabilization Division and Tobacco Division of the Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, upon written request by the State executive director, all such books, papers, records, basket tickets, tobacco sale bills, buyer adjustment invoices, accounts, canceled checks, check register,

check stubs, correspondence, contracts, documents, journal of producer marketing cards retained at warehouse and memoranda as the State executive director or the Director has reason to believe are relevant and are within the control of such person.

5. A new § 725.112 is added as follows:

§ 725.112 Warehouses authorized to retain producer marketing cards between sales.

Notwithstanding any other provision of this part, to facilitate the scheduling of farmers' tobacco to the warehouse, marketing cards with the permission of the producer, may be retained at the warehouse between sales even though no producer on the farm for which the card is issued has tobacco on the floor for sale or to be settled for, as provided in this section.

(a) *Warehouses eligible to retain producer marketing cards between sales.* A warehouse shall be eligible to retain producer marketing cards between sales if the operator thereof shall:

(1) Execute and file on a form approved by ASCS a written request with the State committee (or county committee) if designated by the State committee).

(2) Agree to be responsible to ASCS for an amount of money equal to the amount that may be assessed against any producer as marketing quota penalties, if the marketing that is the basis of assessment of penalty occurred while the warehouse was authorized to have custody of the marketing card, for:

(i) Overmarketings resulting from errors made at the warehouse in entering "balance after sale" pounds on the producer's marketing card or failure to deduct pounds sold on producer's marketing card.

(ii) Tobacco falsely identified for marketing by use of the producer's marketing card.

(iii) Producer's failure to account for any tobacco marketed by use of the producer's marketing card.

(iv) Tobacco marketed at the warehouse in excess of 110 percent of quota as shown on the producer's marketing card.

(3) Agree to maintain an accurate and up-to-date journal containing a listing of all producer marketing cards retained by the warehouse to facilitate the scheduling of farmer's tobacco. The journal shall show for each card retained the:

(i) Name of farm operator;
(ii) Serial number of farm;
(iii) Date marketing card obtained from producer; and
(iv) Date marketing card returned to producer.

Such journals shall be maintained for the length of time and under the conditions required for other warehouse records.

(4) Agree to return the marketing card to the producer at any time the producer may so request or, in the absence of a request, return it to the pro-

ducer within seven (7) days after the close of the warehouse for the season.

(5) Agree that this authorization may be terminated by ASCS for failure to comply with provisions of this agreement.

(b) *Penalties considered to be the responsibility of warehouseman.* Notwithstanding any other provision of this part, a warehouse operator who executes and files a written request with the State committee (or county committee if designated by the State committee) for authorization to retain producers' marketing cards at the warehouse, with grower permission, shall be responsible to ASCS for an amount of money equal to the amount that may be assessed against producer as marketing quota penalties, provided, the marketing that is the basis of such assessment occurred while the warehouse was authorized to have custody of the marketing card, for:

(1) Overmarketings resulting from errors made at the warehouse in entering "balance after sale" pounds on the producer's marketing card or failure to deduct pounds sold on the producer's marketing card.

(2) Tobacco falsely identified for marketing by use of the producer's marketing card.

(3) Producer's failure to account for any tobacco marketed by use of the producer's marketing card.

(4) Tobacco marketed at the warehouse in excess of 110 percent of quota as shown on the producer's marketing card.

(Secs. 301, 314, 317, 372, 373, 375, 52 Stat. 38, as amended, 48, as amended, 79 Stat. 66, as amended, 52 Stat. 65, as amended, 66, as amended; 7 U.S.C. 1301, 1314, 1314c, 1372, 1373, 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on August 2, 1971.

CARROLL G. BRUNTHAYER,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 71-11211 Filed 8-4-71; 8:49 am]

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

[Valencia Orange Reg. 360]

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

Limitation of Handling

§ 908.660 Valencia Orange Regulation 360.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 35 F.R. 16625), regulating the handling of Valencia oranges grown in

Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 3, 1971.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period August 6 through August 12, 1971, are hereby fixed as follows:

- (i) District 1: 88,000 Cartons;
- (ii) District 2: 312,000 Cartons;
- (iii) District 3: Unlimited.

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

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

Dated: August 4, 1971.

FLOYD F. HEDYLD,
Director, Fruit and Vegetable,
Division, Consumer and Marketing Service.

[FR Doc. 71-11385 Filed 8-4-71; 11:15 am]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Order Amending Order Regulating Handling

§ 917.0 Findings and determinations.

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

(a) Findings upon the basis of the hearing record. Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held in Fresno, Calif., on January 13, 1971, upon a proposed further amendment of the marketing agreement and order (7 CFR Part 917; 36 F.R. 7510) regulating the handling of fresh pears, plums, and peaches grown in California. On the basis of the evidence adduced at the hearing, and the record thereof, it is found that:

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

(2) The said order, as amended and as hereby further amended, regulates the handling of pears, plums, and peaches grown in the State of California in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in the marketing agreement upon which hearings have been held;

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

(4) The said order, as amended and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to the differences in

production and marketing of the fruit covered thereby; and

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

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

(1) The "Marketing Agreement, as Amended, Regulating the Handling of Fresh Pears, Plums, and Peaches Grown in California," upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the fruit covered by this order), who, during the period March 1, 1970, through October 31, 1970, handled not less than 50 percent of the volume of fresh pears and plums covered by the said order as hereby amended; and

(2) The issuance of this order amending the aforesaid amended order is favored or approved in a referendum held during the period June 23, 1971, through July 3, 1971, by producers who, during the determined representative period (March 1, 1970, through October 31, 1970) produced for market within the production area specified in this order, at least two-third of the volume of fresh pears and two-thirds of the volume of fresh plums produced for market within said production area by all producers who participated in said referendum.

It is, therefore, ordered, That, on and after the effective time hereof, all handling of fresh pears, plums, and peaches grown in California shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended, and as hereby further amended as follows:

1. Section 917.4 *Fruit* is revised to read as follows:

§ 917.4 *Fruit.*

"Fruit" means the edible product of the following three kinds of trees (a) all varieties of plums, (b) all varieties of peaches, and (c) all varieties of pears except Beurre Hardy, Beurre D'Anjou, Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau.

4. Paragraphs (k), (q), and (r) of § 917.14 *District* are amended to read as follows:

§ 917.14 *District.*

(k) "South Coast District" includes and consists of San Luis Obispo County, Santa Barbara County, and Ventura County.

(q) "Tehachapi District" includes and consists of that portion of Kern County not included in Kern District, and Inyo County.

(r) "Southern California District" includes and consists of San Bernardino County, Orange County, San Diego County, Imperial County, Riverside County, and Los Angeles County.

5. Paragraph (b) of § 917.18 *Nomination of grower members of the Control Committee* is revised to read as follows:

§ 917.18 *Nomination of grower members of the Control Committee.*

(b) A person nominated by any commodity committee for membership on the Control Committee shall be an individual person who produced fruit during the previous season, and who is a member or alternate member of the commodity committee which nominates him. Such persons shall have the qualifications specified in § 917.24(c). Each member of each commodity committee shall have only one vote in the selection of nominees for membership on the Control Committee.

7. Section 917.20 *Designation of members of commodity committees* is amended to read as follows:

§ 917.20 *Designation of members of commodity committees.*

There are hereby established a Pear Commodity Committee and a Plum Commodity Committee each consisting of 12 members, and a Peach Commodity Committee consisting of 13 members. The members of each said committees shall be selected biennially for a term ending on the last day of February of odd numbered years, and such members shall serve until their respective successors are selected and have qualified. The members of each commodity committee shall be selected in accordance with the provisions of § 917.25.

12. The introductory language and paragraph (a) of § 917.35 *Powers and duties of each commodity committee* are amended to read as follows:

§ 917.35 *Powers and duties of each commodity committee.*

Each commodity committee shall have the following powers and duties.

(a) With regard to the respective fruit for which it was established, to establish production research and marketing research and development projects as authorized under § 917.39, to recommend to the Secretary regulation of shipments pursuant to the provisions of this part, and to possess such other powers and exercise such other duties as will properly effectuate the purpose of this part: *Provided, however,* That the Pear and Plum Commodity Committees shall each approve actions under § 917.39 and make said recommendation pursuant to § 917.40 through § 917.43 only upon the affirmative vote of not less than 8 members of each said committee; *Provided further,* That the Peach Commodity Committee shall approve such actions pursuant to § 917.39 or make said recommendations pursuant to § 917.40 through § 917.43 only upon the affirmative vote of not less than 9 members of said committee.

12a. Section 917.39 *Market research and development* is amended to read as follows:

§ 917.39 *Market research and development.*

The committees, with the approval of the Secretary, may establish or provide for the establishment of production research, marketing research, and development projects designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of fruit. Such projects, with respect to plums may provide for any form of marketing promotion including paid advertising. The expenses of such projects shall be paid from funds collected pursuant to § 917.37.

14. Paragraph (e) of § 917.61 *Termination* is revised to read as follows:

§ 917.61 *Termination.*

(e) The Secretary shall conduct a referendum within the period beginning December 1, 1974, and ending February 15, 1975, to ascertain whether continuance of this part as to any fruit included in this part is favored by the growers. The Secretary shall conduct such a referendum within the same period of every fourth fiscal period thereafter.

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

Dated, July 30, 1971, to become effective 30 days after publication in the FEDERAL REGISTER.

RICHARD E. LYNG,
Assistant Secretary.

[FR Doc.71-11220 Filed 8-4-71; 8:50 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. V]

PART 1483—WHEAT AND FLOUR

Subpart—Wheat Export Program (GR-345) Terms and Conditions

Correction

In F.R. Doc. 71-10752 appearing at page 13899 in the issue for Wednesday, July 28, 1971, the following changes should be made:

1. The ninth line of the example in § 1483.111(c)(9), now reading "December 16, 1970 through May 31, 1970.", should read "December 16, 1970 through May 31, 1971."

2. The signature at the end of the document, now reading "Clifford G. Pulyermacher", should read "Clifford G. Pulvermacher".

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 224—FEDERAL RESERVE BANK INTEREST RATES

Changes in Rates

Correction

In F.R. Doc. 71-10892 appearing at page 14178 in the issue for Saturday,

July 31, 1971, the table appearing in § 224.2 should be transferred to appear as the table for § 224.4, and the table presently appearing in § 224.4 should be transferred to appear as the table for § 224.2.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 71-SO-105]

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

Alteration of Control Zone and Transition Area and Designation of Transition Area

On June 16, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 11601), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Lexington, Ky., control zone and transition area and designate the Frankfort, Ky., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 14, 1971, as hereinafter set forth.

In § 71.171 (36 F.R. 2055), the Lexington, Ky., control zone is amended to read:

LEXINGTON, KY.

Within a 5-mile radius of Blue Grass Airport (lat. 38°02'16" N., long. 84°36'16" W.); within 1.5 miles each side of the ILS localizer northeast course, extending from the 5-mile-radius zone to 5 miles northeast of the runway end.

In § 71.181 (36 F.R. 2140), the Lexington, Ky., transition area is amended to read:

LEXINGTON, KY.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Blue Grass Airport (lat. 38°02'16" N., long. 84°36'16" W.); within 3 miles each side of the ILS localizer northeast course, extending from the 8.5-mile radius area to 14 miles northeast of the runway end; within 9.5 miles northwest and 4.5 miles southeast of the ILS localizer southwest course, extending from the 8.5-mile-radius area to 18.5 miles southwest of the OM.

In § 71.181 (36 F.R. 2140), the following transition area is added:

FRANKFORT, KY.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Capital City Airport (lat. 38°10'55" N., long. 84°54'16" W.); within 3 miles each side of the 062° bearing from Jett RBN (lat.

38°12'56" N., long. 84°49'32" W.), extending from the 8.5-mile radius area to 8.5 miles northeast of the RBN; within 3 miles each side of Frankfort VOR 063° radial, extending from the 8.5-mile radius area to 8.5 miles northeast of Jett RBN; within 3 miles each side of Frankfort VOR 240° radial, extending from the 8.5-mile radius area to 8.5 miles southwest of the VOR.

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

Issued in East Point, Ga., on July 27, 1971.

GORDON W. BECKER,
Acting Director, Southern Region.

[FR Doc.71-11189 Filed 8-4-71; 8:47 am]

[Airspace Docket No. 71-SO-106]

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

Alteration of Control Zone and Transition Area

On June 16, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 11601), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Bowling Green, Ky., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 14, 1971, as hereinafter set forth.

In § 71.171 (36 F.R. 2055), the Bowling Green, Ky., control zone is amended to read:

BOWLING GREEN, KY.

Within a 5-mile radius of Bowling Green-Warren County Airport (lat. 36°57'47" N., long. 86°25'07" W.); within 3 miles each side of Bowling Green VORTAC 206° radial, extending from the 5-mile radius zone to 9.5 miles southwest of the VORTAC.

In § 71.181 (36 F.R. 2140), the Bowling Green, Ky., transition area is amended to read:

BOWLING GREEN, KY.

That airspace extending upward from 700 feet above the surface within an 11-mile radius of Bowling Green-Warren County Airport (lat. 36°57'47" N., long. 86°25'07" W.); within 3.5 miles each side of Bowling Green VORTAC 206° radial, extending from the 11-mile radius area to 10.5 miles southwest of the VORTAC.

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

Issued in East Point, Ga., on July 27, 1971.

GORDON W. BECKER,
Acting Director, Southern Region.

[FR Doc.71-11190 Filed 8-4-71; 8:47 am]

[Airspace Docket No. 71-CE-22]

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

Alteration of Control Zone and Transition Area

Correction

In F.R. Doc. 71-10287 appearing on page 13372 in the issue for Wednesday, July 21, 1971, the designation "(latitude 42°4'03" N., longitude 96°2'55" W.)" in the description of the Sioux City, Iowa, control zone (§ 71.171) should read "(latitude 42°24'03" N., longitude 96°22'55" W.)".

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-32—GOVERNMENT-WIDE AUTOMATED DATA MANAGEMENT SERVICES

Subpart 101-32.48—Exhibits

ADP SHARING EXCHANGE ADDRESSES

This amendment provides the current addresses and regional locations of ADP sharing exchanges in line with the realignment of GSA regions and includes a revised map designating the GSA regional realignment.

Sections 101-32.4801 and 101-32.4802 are revised to read as follows:

§ 101-32.4801 ADP sharing exchange addresses.

GSA Region 1, ADP Sharing Exchange, Boston, Mass.: Federal ADP Resources Staff (1 FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, Post Office and Courthouse, Boston, MA 02109. Telephone: Area Code 617, 223-6277.

GSA Region 2, ADP Sharing Exchange, New York, N.Y.: Federal ADP Resources Staff (2 FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, 26 Federal Plaza, New York, NY 10007. Telephone: Area Code 212, 264-8349.

GSA Region 3, ADP Sharing Exchange, Washington, D.C.: Federal ADP Resources Staff (3 FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, 7th and D Streets SW., Washington, DC 20407. Telephone: Area Code 202, 963-4900 or 202, 962-6871, IDS Code 13-34900 or 13-26871. Philadelphia ADP Sharing Exchange, Veterans Administration, Post Office Box 8079, Philadelphia, PA 19101. Telephone: Area Code 215, 438-5629.

Tidewater ADP Sharing Exchange, Headquarters 5th Naval District, Norfolk, VA 23511. Telephone: Area Code 703, 444-7557.

GSA Region 4, ADP Sharing Exchange, Atlanta, Ga.: Federal ADP Resources Staff

(4FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, 1776 Peachtree Street NW., Atlanta, GA 30309. Telephone: Area Code 404, 526-5772.

GSA Region 5, ADP Sharing Exchange, Chicago, Ill.: Federal ADP Resources Staff (5FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL 60604. Telephone: Area Code 312, 353-5406.

GSA Region 6, ADP Sharing Exchange, Kansas City, Mo.: Federal ADP Resources Staff (6FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, Federal Building, 1500 East Bannister Road, Kansas City, MO 64131. Telephone: Area Code 816, 361-7540 (PTS calls only) and Area Code 816, 361-0860 ext. 7540 (commercial/long distance).

St. Louis ADP Sharing Exchange, Federal Supply Service, General Services Administration, 9700 Page Boulevard, St. Louis, MO 63132. Telephone: Area Code 314, 268-7152.

GSA Region 7, ADP Sharing Exchange, Fort Worth, Tex.: Federal ADP Resources Staff (7FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, 819 Taylor Street, Fort Worth, TX 76102. Telephone: Area Code 817, 334-3684.

South Texas ADP Sharing Exchange, National Aeronautics and Space Administration, Manned Spacecraft Center, Houston, TX 77058. Telephone: Area Code 713, 483-5075.

GSA Region 8, ADP Sharing Exchange, Denver, Colo.: Federal ADP Resources Staff (8FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, Building 41, Denver Federal Center, Denver, CO 80225. Telephone: Area Code 303, 233-8495 (PTS calls only) and Area Code 303, 233-3611 ext. 8495 (commercial/long distance).

GSA Region 9, ADP Sharing Exchange, San Francisco, Calif.: Federal ADP Resources Staff (9FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, 49 Fourth Street, San Francisco, CA 94103. Telephone: Area Code 415, 556-7877.

Southern California ADP Sharing Exchange, Headquarters 11th Naval District, San Diego, CA 92130. Telephone: Area Code 714, 293-5587.

Las Vegas ADP Sharing Exchange, Nevada Operations Office of Atomic Energy Commission, Post Office Box 14100, Las Vegas, NV 89114. Telephone: Area Code 702, 734-3121.

Hawaii ADP Sharing Exchange, Federal Supply Service, General Services Administration, Hickam AFB, HI 96824. Telephone: Area Code 808, 443-951.

GSA Region 10, ADP Sharing Exchange, Auburn, Wash.: Federal ADP Resources Staff (10FTR), Automated Data Management Services Division, Federal Supply Service, General Services Administration, Regional Headquarters Building, Auburn, WA 98002. Telephone: Area Code 206, 833-6500 ext. 281 (commercial/long distance) and Area Code 206, 833-5281 (PTS only).

Oregon ADP Sharing Exchange, Bonneville Power Administration, Post Office Box 3621, Portland, OR 97208. Telephone: Area Code 503, 234-3513 or Area Code 503, 234-3607.

Alaska ADP Sharing Exchange, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, AK 99501. Telephone: Area Code 907, 272-5561 ext. 519 or 623.

§ 101-32.4802 Map showing GSA regions and locations of ADP sharing exchanges.

NOTE: Map illustration filed as part of original document.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER (8-5-71).

Dated: July 28, 1971.

ROBERT L. KUNZIG,

Administrator of General Services.

[FR Doc.71-11212 Filed 8-4-71; 8:49 am]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

[Ex Parte MC-67]

SUBCHAPTER C—ACCOUNTS, RECORDS, AND REPORTS

PART 1131—TEMPORARY AUTHORITY APPLICATIONS UNDER SECTION 210a(a) OF THE INTERSTATE COMMERCE ACT

General Policy Statement Concerning Motor Carrier Temporary Authority Procedures

This Commission has become increasingly aware that the processing of emergency temporary authority extension applications results in the misallocation of valuable resources, not only by the Commission, but by the public as well. In order to simplify these procedures, within the existing rules and regulations pertaining thereto, and to give full notice to the public of those procedures which we shall employ, the following is promulgated:

1. APPLICATIONS FOR EMERGENCY TEMPORARY AUTHORITY

Applications for emergency temporary authority shall continue to be filed on form OP-OR-95. Telegraphic or telephone filing shall also be acceptable in the manner now permitted and the subsequent confirmation filing of such application must be made by filing on form OP-OR-95.

2. APPLICATIONS FOR EXTENSION OF EMERGENCY TEMPORARY AUTHORITY

Applications seeking extension of emergency temporary authorities may be filed in two ways:

A. If corresponding 180-day temporary authority application is filed within 15 days of the date of filing the initial emergency temporary authority application. If an applicant for emergency temporary authority, utilizing form OP-OR-95 will, within 15 days of the date of filing with the Bureau of Operation's Field Office for such emergency temporary authority, file with such Field Office a corresponding application seeking temporary authority for a period of 180 days, he may state on the emergency application form OP-OR-95: "Applicant hereby certifies that within 15 days of the date of filing this application, a corresponding application will be filed seeking temporary authority for a period of 180 days, and requests that two suc-

cessive extensions of any emergency temporary authority granted each for a period of 30 days, be issued." In accordance with the fee schedule promulgated in Ex Parte No. 246, "Regulations Governing Fees for Services," 339 I.C.C. 555 (decided May 19, 1971), an application for emergency temporary authority which contains this certification must be accompanied by the fee applicable to two extensions, which presently is \$20.

Pursuant to this procedure, it will no longer be necessary for an applicant, in the event emergency temporary authority is issued in the first instance, to seek extensions thereof pending determinations of its 180-day temporary authority application, unless processing of the 180-day application exceeds 90 days. The filing of the 180-day application, within the 15-day period, will automatically serve to extend the former for two successive 30-day periods. The Commission, however, at all times, reserves the authority to revoke any emergency temporary authority, or extension thereof, should such action be warranted.

In order to maintain rate continuity, an applicant availing itself of this procedure shall file a supplement to its "W" publication together with its 180-day temporary authority application, extending the effectiveness of its "W" publication an additional 45 days (i.e., to be effective on the 45th day after the grant of the initial emergency temporary authority application, but in no case to be effective subsequent to the date with which the initial publication is indicated to expire, and to expire on the 90th day thereafter).

Thus, it is contemplated that the applicant's emergency temporary authority, as extended, and its "W" publication, as supplemented, will both expire on the same day.

Should 180-day temporary authority be granted to such an applicant, it will be effective upon the expiration of the emergency temporary authority, as extended. Should 180-day temporary authority be denied, the Commission's order to that effect will revoke the outstanding emergency temporary authority as of a date certain, and require applicant to cancel its "W" publication.

Should an applicant, having made the aforementioned certification, fail to file within the 15-day period an application for corresponding 180-day temporary authority, the initial emergency temporary authority shall not be extended in accordance with the above provisions, but applicant shall, in seeking any such extension thereafter, observe the procedures set forth in the next succeeding section.

B. If corresponding 180-day temporary authority application is not filed within 15 days of the date of filing the initial emergency temporary authority application. Any request for extension of emergency temporary authority, except as delineated in paragraph (A) above, shall be filed utilizing form OP-TA-19. Such requests must be filed not later than the 10th day preceding the expiration date of the emergency temporary authority sought to be extended. The Field Office shall require that any request for continuation of service authorized by the issuance of emergency temporary authority not filed prior to such 10th day be filed on form OP-OR-95 as a separate application.

3. WITH WHOM FILED

All applications for emergency temporary authority, requests for extension of emergency temporary authority, and applications for 180-day temporary authority shall be filed with the Commission's District Supervisor for the District in which the applicant is domiciled (except as to other Field Offices that the Commission may designate in special circumstances).

The above procedures and policies will be effective as of the date of service hereof, and notice of this General Policy Statement will be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register. This General Policy Statement shall appear in the Code of Federal Regulations as a note following 49 CFR 1131.2.

(52 Stat. 1237, 49 U.S.C. 304(a)(6); 52 Stat. 1238, 49 U.S.C. 310a(a); 49 Stat. 560, 49 U.S.C. 317; 49 Stat. 561, 49 U.S.C. 318; 60 Stat. 237, 5 U.S.C. 1003 and 1008)

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11228 Filed 8-4-71; 8:50 am]

[No. 35345]

PART 1249—REPORTS OF MOTOR CARRIERS

Quarterly Report of Freight Loss and Damage Claims

At a session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 6th day of July 1971.

On December 3, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 18403) advising all interested persons that the Commission had under consideration a requirement for filing of quarterly reports of freight loss and damage claims by all common and contract carriers of property having average annual operating revenues (including interstate and intrastate) of \$1 million, or more, from property motor carrier operations. After consideration of all relevant matters submitted by interested persons, the reports proposed are hereby adopted with modifications, as shown by the instructions and schedules attached to and made a part of this order. Wherefore, and good cause appearing:

It is ordered, That quarterly reports of motor carriers of property, form QL&D, Quarterly Report of Freight Loss and Damage Claims, as shown in appendix A attached hereto, are adopted and prescribed.

It is further ordered, That the reporting requirements prescribed hereby are applicable to all common and contract carriers of property by motor vehicles having average annual operating revenues (including interstate and intrastate) of \$1 million, or more, from property motor carrier operations, based on the average of latest 3 calendar years.

It is further ordered, That the reporting requirements prescribed hereby are effective with reports for the quarter beginning October 1, 1971.

¹ Not filed with the Office of the Federal Register.

It is further ordered, That a new § 1249.15 be added to Title 49, Chapter X, Subchapter C, Part 1249, Code of Federal Regulations, to read as follows:

§ 1249.15 Quarterly report of freight loss and damage claims.

Commencing with reports for the quarter beginning October 1, 1971, and for subsequent quarters thereafter, until further ordered, all common and contract carriers of property having average annual operating revenues (including interstate and intrastate) of \$1 million, or more, from property motor carrier operations, based on the average annual gross operating revenues of the latest 3 calendar years, shall compile and file quarterly reports in accordance with Motor Carrier Quarterly Report of Freight Loss and Damage Claims, form QL&D. Such quarterly reports shall be filed in duplicate in the office of the Bureau of Accounts, Interstate Commerce Commission, Washington, D.C. 20423, within 40 days after the close of each quarter.

And it is further ordered, That service of this order shall be made on all parties that filed representations, on all class I motor carriers of property; and notice shall be given the general public by depositing a copy of this order in the office of the secretary of the Commission at Washington, D.C., and by filing the order with the Director, Office of the Federal Register.

(Secs. 204, 220, 49 Stat. 546, 563, as amended; 49 U.S.C. 304, 320)

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11229 Filed 8-4-71; 8:50 am]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Eufaula National Wildlife Refuge, Ala.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (8-5-71)

§ 32.12 Special regulations; migratory birds; for individual wildlife refuge areas.

ALABAMA

EUFULA NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Eufaula National Wildlife Refuge, Ala., is permitted only on those areas designated by signs as open to hunting. These open areas, comprising 365 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-

Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of mourning doves subject to the following special conditions:

(1) Hunting shall be permitted from 12 noon until sunset on the following dates: (a) Houston Tract Unit: Saturdays only during season September 25–November 13, 1971. (b) Molnar Tract Unit: December 22 and 29, 1971 and January 8, 1972.

(2) Each hunter must have on his person a validated refuge hunting permit. Permits will be issued at the refuge on each day of the hunt on a first-come, first-served basis.

(3) No hunters will be permitted within hunting areas before 11:45 a.m. each day.

(4) All firearms must be encased and/or unloaded when outside designated hunting area.

(5) Each hunter who successfully takes a limit of mourning doves must leave the hunting area immediately.

(6) Retrievers used by hunters shall be under the control of the owner at all times.

(7) All hunters must check in and check out of the refuge at the designated checking station.

(8) All litter (paper, empty shell boxes, etc.) must be removed by individual hunters.

(9) Wounded or dead doves falling outside the hunting area may be recovered, but firearms must be left inside hunting area.

(10) Vehicle parking will be limited to areas designated by refuge personnel.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 8, 1972.

ERNEST C. MARTIN,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JULY 29, 1971.

[FR Doc.71-11181 Filed 8-4-71; 8:46 am]

PART 32—HUNTING

Certain National Wildlife Refuges in Arkansas, Tennessee, and Kentucky

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER (8-5-71).

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

ARKANSAS

HOLLA BEND NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Holla Bend National Wildlife Refuge, Ark., is permitted on two areas delineated by public hunting signs. These open areas comprising approximately 800 acres are

delineated on a map available at refuge headquarters, Russellville, Ark. 72801, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves, subject to the following special conditions:

(1) Hunting dates: September 1, 6, and 11, 1971.

(2) Two hundred permits will be issued for each hunt. Only one permit will be issued to a hunter and permits are non-transferable. Applications for permits will be accepted from August 1 to 15. Each application may contain the name of only one hunter and must indicate a preference for either the 1st, 6th, or 11th.

(3) Retrievers used by hunters must be kept under control at all times.

(4) All firearms must be enclosed and/or unloaded when outside designated hunting areas.

(5) Hunters under 15 years of age must be accompanied by an adult.

(6) Hunting shall be from 12 noon until sunset each day of the hunt.

(7) No alcoholic beverages will be allowed in the hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 11, 1971.

§ 32.22 Special regulations; upland game, for individual wildlife refuge areas.

TENNESSEE

HATCHIE NATIONAL WILDLIFE REFUGE

The public hunting of squirrels and raccoons on the Hatchie National Wildlife Refuge is permitted on the area designated by signs as open to hunting. This open area comprising 8,417 acres is delineated on a map available at the refuge headquarters, Brownsville, Tenn. 38012 and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all State and Federal regulations subject to the following conditions:

Squirrels. (1) The open season for squirrels is August 28 through September 30, 1971.

(2) Only .22 caliber rifles or shotguns incapable of holding more than three shells are permitted.

(3) Dogs are prohibited.

(4) The hunting of feral hogs is permitted during this hunt.

Raccoons. (1) The open season for raccoons will be October 15 through November 15, 1971.

(2) Hunting hours shall be from 7 p.m. to midnight.

(3) Axes, saws, or other cutting implements are prohibited.

The provisions of this special regulation supplement the regulations which

govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 15, 1971.

REELFOOT NATIONAL WILDLIFE REFUGE

Public hunting of raccoons and squirrels on the Reelfoot National Wildlife Refuge, Tenn., is permitted only on the area designated by signs as open to hunting. This open area, comprising 9,585 acres, is delineated on maps available at refuge headquarters, Samburg, Tenn., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations covering the hunting of raccoons and squirrels subject to the following special conditions:

Raccoons. (1) Raccoons may be taken, without limit, on both the North Unit and Grassy Island from October 4 through 9, 1971 and from October 11 through 16, 1971.

(2) Hunting hours shall be from 7:30 p.m. to 12:30 a.m.

(3) The use of guns and dogs is permitted.

(4) No axes, saws or other cutting implements will be permitted.

(5) A Federal permit will not be required; however, all hunters will be required to check in and check out at the designated check station, the location of which may be obtained from the Refuge Manager, Reelfoot National Wildlife Refuge, Samburg, Tenn.

Squirrels. (1) Squirrels may be hunted on the refuge from September 1 through September 30, 1971.

(2) The hunting of crows, woodchuck, and gray foxes, without limit, is permitted during the refuge squirrel hunt.

(3) Only shotguns incapable of holding more than three shells and .22 caliber rifles are permitted.

(4) Dogs are not permitted.

(5) A Federal permit is not required to enter this public shooting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 16, 1971.

LAKE ISOM NATIONAL WILDLIFE REFUGE

Public hunting of squirrels on the Lake Isom National Wildlife Refuge, Tenn., is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,850 acres, is delineated on maps available at the refuge headquarters, Samburg, Tenn. and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations covering the hunting of squirrels subject to the following special conditions:

(1) Squirrels may be hunted on the

refuge from September 1 through 30, 1971.

(2) The hunting of crows, woodchuck, and gray foxes, without limit, is permitted during the refuge squirrel hunt.

(3) Only shotguns incapable of holding more than three shells and .22 caliber rifles are permitted.

(4) Dogs are not permitted.

(5) A Federal permit is not required to enter the public shooting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 1, 1971.

KENTUCKY

REELFOOT NATIONAL WILDLIFE REFUGE

Public hunting of raccoons and squirrels, on the Reelfoot National Wildlife Refuge, Ky., is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,034 acres, is delineated on maps available at refuge headquarters, Samburg, Tenn., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations covering the hunting of raccoons and squirrels subject to the following special condition:

Raccoons. (1) Raccoons may be taken without limit on the refuge area from October 4 through 9, 1971 and from October 11 through 16, 1971.

(2) Hunting hours shall be from 7:30 p.m. to 12:30 a.m.

(3) The use of guns and dogs is permitted.

(4) No axes, saws, or other cutting implements will be permitted.

(5) A Federal permit will not be required; however, all hunters will be required to check in and out at the designated check stations, the location of which may be obtained from the Refuge Manager, Reelfoot National Wildlife Refuge, Samburg, Tenn. 38254.

Squirrels. (1) Squirrels may be hunted on the refuge from September 1 through 30, 1971.

(2) The hunting of crows, woodchuck, and gray foxes, without limit, is permitted during the refuge squirrel hunt.

(3) Only shotguns incapable of holding more than three shells and .22 caliber rifles are permitted.

(4) Dogs are not permitted.

(5) A Federal permit is not required to enter the public shooting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 16, 1971.

JULY 27, 1971.

ERNEST C. MARTIN,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

[FR Doc.71-11182 Filed 8-4-71; 8:46 am]

PART 32—HUNTING

Agassiz National Wildlife Refuge, Minn.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (8-5-71).

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MINNESOTA

AGASSIZ NATIONAL WILDLIFE REFUGE

Public hunting of moose on the Agassiz National Wildlife Refuge, Minn., is permitted from sunrise to sunset October 2 to October 17, 1971, and from December 4 to December 19, 1971, all dates inclusive, on all areas except those designated by closed area signs. This open area comprises approximately 57,600 acres and is delineated on a map available at the refuge headquarters at Middle River, Minn., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations subject to the following special conditions:

1. All parties hunting Agassiz National Wildlife Refuge are required to report to the Agassiz check station, located 11 miles east of Holt, Minn., before they begin to hunt.

2. All moose killed on Agassiz Refuge must be registered at the Agassiz Refuge check station within 48 hours of the kill.

3. All radio collars, neck collars, and ear tags on killed moose will remain the property of the Bureau of Sport Fisheries and Wildlife and will be returned to the Agassiz Refuge check station.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 19, 1971.

THOMAS D. ATKINS,

Acting Refuge Manager, Agassiz National Wildlife Refuge, Middle River, Minn.

JULY 30, 1971.

[FR Doc.71-11184 Filed 8-4-71; 8:46 am]

PART 32—HUNTING

Arrowwood National Wildlife Refuge, N. Dak.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER (8-5-71).

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the area designated by signs as open to hunting. This open

area, comprising 15,900 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following conditions:

(1) Hunting with guns is not permitted.

(2) The open season for hunting deer on the refuge is from 12 noon to sunset on August 27, 1971, through sunset November 7, 1971, and from sunrise to sunset December 3, 1971, through December 31, 1971.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1971.

ARNOLD D. KRUSE,

Refuge Manager, Arrowwood National Wildlife Refuge, Edmunds, N. Dak.

JULY 29, 1971.

[FR Doc. 71-11185 Filed 8-4-71; 8:46 am]

PART 33—SPORT FISHING

Piedmont National Wildlife Refuge, Ga.; Correction

In F.R. Doc. 71-1444, appearing on page 1899 of the issue for Wednesday, February 3, 1971, subparagraph (1) under special conditions should read as follows:

(1) The sport fishing season on the refuge extends from March 1, 1971, through September 30, 1971.

ERNEST C. MARTIN,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JULY 29, 1971.

[FR Doc. 71-11183 Filed 8-4-71; 8:46 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 19]

CUSTOMS WAREHOUSE AND CONTROL OF MERCHANDISE THEREIN

Proposed Increase in Charge for Intermittent WAE Customs Warehouse Officer

Notice is hereby given that under the authority contained in section 301 of title 5 of the United States Code and section 555 of the Tariff Act of 1930, as amended (19 U.S.C. 1555), it is proposed to amend the Customs Regulations to provide for reimbursement of the Government's contribution under the Federal Insurance Contributions Act and employee uniform allowance made for intermittent when-actually-employed employees when services by such employees are performed on a reimbursable basis. It is proposed that the charge for services of such employees be computed at a rate per hour equal to 107 percent of the hourly rate of the regular pay of such employees, such rate computed as follows:

	Percent
Gross hourly rate of intermittent WAE employees	100.0.
Federal Employees Contributions Act tax	5.2.
Employee uniform allowance	1.5.
Total	106.7. or 107.

The proposed regulation in tentative form is set forth below:

Section 19.5(b) is amended to include the following sentence after the second full sentence of the paragraph.

§ 19.5 Customs warehouse officer; compensation of.

(b) * * * When services of a Customs warehouse officer or a Customs employee temporarily assigned to act as a Customs warehouse officer at a bonded warehouse are performed by an intermittent when-actually-employed employee, the charge for such services shall be computed at a rate per hour equal to 107 percent of the hourly rate of the regular pay of such employee to provide for reimbursement of the Government contribution under the Federal Insurance Contributions Act and employee uniform allowance. * * *

Prior to the issuance of the proposed amendment, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Washington, D.C. 20226, and received not later than 30 days from the date of publication of

this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL]

MYLES J. AMBROSE,
Commissioner of Customs.

Approved: July 27, 1971.

WILLIAM L. DICKEY,
Acting Assistant Secretary
of the Treasury.

[FR Doc. 71-11194 Filed 8-4-71; 8:47 am]

DEPARTMENT OF THE INTERIOR

Oil Import Administration

[32A CFR Ch. X]

[Oil Import Reg. 1 (Rev. 5)]

IMPORTS OF RESIDUAL FUEL OIL TO BE USED AS FUEL; DISTRICT I

Notice of Proposed Rule Making

Several years' experience with respect to the making of allocations in District I of imports of residual fuel oil to be used as fuel, and the issuance of licenses, has indicated that the system now prescribed by section 12 of Oil Import Regulation 1 (Revision 5), as amended, is unduly cumbersome both for the Oil Import Administration and for importers of such oil. It appears that the purposes for which section 12 is designed could be accomplished more simply by providing for annual allocations based on business estimates within a maximum level prescribed by the Secretary for a particular allocation period. Accordingly, it is proposed to amend section 12 as set forth below. It is also proposed to amend section 5 of the regulations (as set forth below) to make that section applicable to applications for imports into District I of residual fuel oil to be used as fuel. It is contemplated that the proposed amendments would become effective with respect to the allocation period April 1, 1972 through March 31, 1973—that is, applications would have to be filed 60 days prior to April 1, 1972, and on the basis of such applications, allocations would be made for the allocation period April 1, 1972 through March 31, 1973. Final action on the proposed amendments will be subject to the concurrence of the Director of the Office of Emergency Preparedness.

Interested persons are invited to submit written comments on the proposed amendments before August 31, 1971, to the Administrator, Oil Import Administration, Department of the Interior, Washington, D.C. 20240. Each person

who submits comments is asked to submit fifteen (15) copies.

R. W. SNYDER, Jr.,
Acting Administrator,
Oil Import Administration.

AUGUST 3, 1971.

1. Section 12 of Oil Import Regulation 1 (Revision 5), 32 F.R. 1175, would be amended to read as follows:

Sec. 12 Allocations of residual fuel oil—District I.

(a) This section provides for the making of allocations, for periods of 12 months beginning April 1, of imports into District I of residual fuel oil to be used as fuel in District I.

(b) To be eligible for an allocation of imports into District I of residual fuel oil to be used as fuel, a person must:

(1) Be in the business in District I of selling residual fuel oil to be used as fuel and have under his management and operational control a deepwater terminal located in District I into which there has been delivered residual fuel oil to be used as fuel which he owned at the time of delivery, or

(2) Be in the business in District I of selling residual fuel oil to be used as fuel and have a throughput agreement (warehouse agreement) with a deepwater terminal operator under which agreement the person has delivered to the terminal residual fuel oil to be used as fuel which he owned when it was so delivered. For the purpose of this section, "throughput agreement" means an agreement which provides for the delivery to a deepwater terminal by a person of residual fuel oil which he owns and for a right in such person to withdraw on call an identical quantity of such oil from the terminal. A bona fide throughput agreement will be deemed to exist only if the person operating under the agreement owns the oil at the time it is delivered to the terminal.

(c) The maximum level of imports into District I of residual fuel oil to be used as fuel for a particular allocation period will be established by the Secretary. Within the level prescribed by the Secretary for a particular allocation period, the Administrator shall make allocations as requested by Federal agencies and of any quantity which may be awarded by the Oil Import Appeals Board. Within the balance of imports available for allocations during a particular allocation period, the Administrator shall make allocations according to paragraph (d) of this section.

(d) In an application for an allocation under this section, an applicant shall estimate the quantity of imports of residual fuel oil to be used as fuel that he will require to serve present and prospective

customers in District I during the allocation period and shall certify that the estimate is made in good faith and in the exercise of his best business judgment. The Administrator may require further justification of an estimate or an adjustment of an estimate. The Administrator shall make an allocation to each eligible applicant of imports into District I of residual fuel oil to be used as fuel in the amount of the estimate shown in his application or, if an adjustment is made, in the amount of the estimate as adjusted.

(e) For good cause shown, the Administrator may adjust allocations during an allocation period within the maximum level of imports prescribed by the Secretary. The Administrator may recommend to the Secretary that adjustments be made in the maximum level of imports prescribed for an allocation period.

(f) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

2. Section 5 of Oil Import Regulation 1 (Revision 5) would be amended to read as follows:

Sec. 5 Applications for allocations and licenses.

Unless otherwise provided in this regulation, applications for allocations of imports of crude oil, unfinished oils, or finished products and for a license or licenses must be filed with the Administrator, in such form as he may prescribe, not later than 60 calendar days prior to the beginning of the allocation period for which the allocations are required. However, if the 60th day is a Saturday, Sunday, or holiday, the application may be filed on the next succeeding business day. This section does not apply to an application for an allocation pursuant to paragraph (c) of section 15.

[FR Doc.71-11311 Filed 8-3-71; 4:12 pm]

DEPARTMENT OF AGRICULTURE
Consumer and Marketing Service
[7 CFR Part 52]
CANNED GRAPEFRUIT
Standards for Grades 1; Drained Weight

Notice is hereby given that the U.S. Department of Agriculture is considering an amendment to the U.S. Standards for Grades of Canned Grapefruit (7 CFR 52.1141-52.1154) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (sec. 205, 60 Stat. 1090, as amended, 7 U.S.C. 1624).

All persons who desire to submit written data, views, or arguments for con-

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

sideration in connection with the proposed amendment should file the same in duplicate, not later than 30 days after publication hereof in the FEDERAL REGISTER, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27 (b)).

Statement of consideration leading to the proposed amendment. The sole purpose of this amendment is to correct a technical inequity in the existing standards.

Drained weight, a factor of quality in these standards, is based on the average drained weight of the sample except when any of the sample units are unusually low, in which case the score of each sample unit for this factor is based on the drained weight of each sample unit in the sample. The purpose of this provision is to properly penalize lots with excessive variation in the drained weights of the sample units.

In general the provision has served its purpose well. In a few instances, however, under official USDA grading the penalty for variations between containers becomes unrealistically restrictive because of the automatic application of other provisions in the acceptance procedures given in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables.

The amendment, in connection with Grade A, would permit any individual sample unit to score less than 15 points, instead of less than 16 points, before the provision to assign different score points for each individual sample unit would apply.

The effort of the amendment, as proposed, would be to prevent an occasional lot from being degraded to Substandard because of low individual drained weights when a more appropriate grade would be Grade A or Grade B depending on the actual variation of the drained weights.

The proposed amendment is as follows:

Section 52.1147 *Drained weight*, paragraph (b) would be revised to read as follows:

§ 52.1147 *Drained weight.*

(b) (A) *Classification.* Canned grapefruit that has a drained weight of not less than 56.25 percent of the capacity of the container may be given a score of 18 to 20 points as indicated in Table I. Whenever more than one container of the product is being graded and the average drained weight of the containers indicates a score in this classification, the score point indicated by such average drained weight is assigned to each container; except that, if the drained weight of any individual container indicates a score of less than 15 points each container will be assigned the score for its own drained weight.

(Sec. 205, 60 Stat. 1090, as amended, 7 U.S.C. 1624)

Dated: July 30, 1971.

G. R. GRANGE,
 Deputy Administrator,
 Marketing Services.

[FR Doc.71-11234 Filed 8-4-71; 8:51 am]

[7 CFR Part 934]

[Docket No. AO-372]

SPEARMINT OIL PRODUCED IN THE STATES OF WASHINGTON, IDAHO, AND OREGON AND DESIGNATED PART OF CALIFORNIA, NEVADA, UTAH, AND MONTANA

Determination on Basis of Results of Referendum on Proposed Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Richland, Wash., on February 24-26, 1971, pursuant to a notice thereof which was published in the February 2, 1971, issue of the FEDERAL REGISTER (36 F.R. 1535) upon a proposed marketing agreement and order regulating the handling of spearmint oil produced in the designated production area. The recommended decision (36 F.R. 9640) and the decision (36 F.R. 12232) setting forth the proposed marketing agreement and order were published in the FEDERAL REGISTER on May 27, 1971, and June 29, 1971, respectively. The decision also contained a referendum order directing that a referendum be conducted among the producers of spearmint oil produced in the designated production area to determine whether the requisite majority of such producers favor issuance of the proposed marketing order.

It is hereby determined on the basis of the results of such referendum conducted July 1 through July 12, 1971, pursuant to the aforesaid referendum order, that the issuance of the proposed Marketing Order No. 934, regulating the handling of spearmint oil produced in the States of Washington, Idaho, and Oregon and designated part of California, Nevada, Utah, and Montana is not favored (1) by at least two-thirds of the producers participated in such referendum and who during the determined representative period (June 1, 1970, through May 31, 1971) were engaged within the designated production area in the production for market of spearmint oil produced in such production area, or (2) by producers of at least two-thirds of the volume of production of such spearmint oil represented in the aforesaid referendum.

It is hereby found and determined that the proposed order set forth in the decision of June 29, 1971 (36 F.R. 12232),

should not be made effective and, in view of the circumstances, that the proposed marketing agreement should not be entered into.

Dated: July 30, 1971.

RICHARD E. LYNK,
Assistant Secretary.

[FR Doc. 71-11208 Filed 8-4-71; 8:49 am]

[7 CFR Part 1094]

[Docket No. AO 103-A32]

MILK IN NEW ORLEANS, LA.,
MARKETING AREA

Notice of Hearing on Proposed
Amendments to Tentative Marketing
Agreement and Order

Notice is hereby given of a public hearing to be held August 11, 1971, at Fontainebleau Motor Hotel, 4040 Tulane Avenue, New Orleans, LA, beginning at 9:30 a.m., local time, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the New Orleans, La., marketing area.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The hearing shall consider also what milk should be eligible for diversion and the point of receipt of diverted milk for the purpose of applying location differentials. In considering these subjects and the proposals set forth herein, § 1094.14 in its entirety shall be open for modification on the basis of this hearing.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Dairymen, Inc.:

Proposal No. 1. Amend § 1094.14 (c) (1) and (c) (2) to read as follows:

(1) A cooperative association may divert for its account the milk of any member-producer without limit during the month if the total volume of milk so diverted does not exceed 35 percent of its member-producer milk physically received at all pool plants during the month: *Provided*, That if the percentage limitation is exceeded all diversions by such association during the month shall be subject to the 15-day limitation prescribed above.

(2) A handler in its capacity as the operator of a pool plant may divert for his account the milk of any nonmember producer without limit during the month if the total volume of nonmember milk so diverted does not exceed 35 percent of the nonmember producer milk physi-

cally received at such pool plant during the month: *Provided*, That if this percentage limitation is exceeded all diversions by such handler during the month shall be subject to the 15-day limitation prescribed above.

Proposal No. 2. Amend § 1094.10(c) to read as follows:

(c) Any supply plant that was a pool plant during each of the months of August through November immediately preceding shall continue to be a pool plant and any supply plant that was a pool plant pursuant to paragraph (b) of this section during each of the months of August through November shall continue to be a pool plant the following months of December through July, unless the operator notifies the market administrator in writing before the first day of any such month of its intent to withdraw such plant as a pool plant, in which case, such plant shall thereafter be a nonpool plant except in any month it qualifies as a supply plant pursuant to paragraph (b) of this section; and

Proposal No. 3. Amend § 1094.10(d) to read as follows:

(d) A plant other than a distributing plant which is operated by a cooperative association and which does not meet the requirements of paragraph (b) or (c) of this section in any of the months in which the volume of milk received at pool distributing plants from member-producers of such cooperative association plus milk which was transferred thereto from the plant(s) operated by the cooperative association is not less than 35 percent of the total pounds of such association's member-producer milk (including that milk received at such plant) if written request is made to the market administrator by the cooperative association prior to or during the month that the plant be a pool plant pursuant to the provision for the month, or for each month, such request to be effective until withdrawn.

Proposal No. 4. Amend the order by adding a new subdivision between § 1094.44(c) (3) (ii) and § 1094.44(c) (3) (iii) to read as follows:

Skim milk and butterfat transferred to a nonpool plant shall be assigned to the skim milk and butterfat in transfers of milk, skim milk, and cream in bulk from the nonpool plant to pool plants classified as if it were a direct transfer pursuant to paragraph (a) of this section from one pool plant to another pool plant with the Class II utilization indicated: *Provided*, That if the classification limitations provided in paragraph (a) of this section result in any skim milk or butterfat being classified as Class I from pool plants of two or more handlers, such classification shall be shared pro rata between such handlers unless at or before the time of reporting signed statements by operators of such plants indicate agreement on a different sharing of such Class I classification.

Proposal No. 5. Amend § 1094.51(b) to read as follows:

(b) *Class II price.* The Class II price shall be the basic formula price for the

month computed pursuant to § 1094.50 provided that the price for milk, skim milk, and cream used in the manufacture of American cheese, butter, and nonfat dry milk shall be 25 cents less subject to the following limitations:

(1) For the purpose of computing the Class II price, credit the volume of milk used in a pool plant for the manufacture of American cheese, butter, and nonfat dry milk shall be reduced by the volume of milk received from other handlers under this order or any other order, on which a similar price credit has been allowed.

(2) Milk used in the manufacture of American cheese, butter, and nonfat dry milk within a nonpool plant which has received milk from a handler(s) regulated under this or any other order which permits a similar price credit, shall be prorated among such handlers, for the purpose of determining the amount of price credit to be allowed such handlers.

Proposed by Borden, Inc.:

Proposal No. 6. In § 1094.17, delete the word "yogurt" from the definition of a Class I product.

Proposed by Gold Seal Creamery, Inc.:

Proposal No. 7. Amend § 1094.10(b) to read as follows:

(b) A supply plant from which during the month an amount equal to 35 percent or more of its receipts of milk from dairy farmers which is eligible for distribution in the marketing area under a Grade A label is moved to and received at a pool plant(s) described in paragraph (a) of this section.

Proposal No. 8. Amend § 1094.14(c) by deleting: "but not more than 15 days' production of any dairy farmer during any such month;" to read "but not more than 20 days' production of any dairy farmer during any said month."

Proposal No. 9. Amend § 1094.53 by adding a new paragraph (c) and in the same section redesignate current paragraph (c) as paragraph (d):

(c) For (1) milk received from producers at a pool plant more than 50 miles, by the shortest toll-free highway distance, as determined by the market administrator, from the nearer of the City Hall in New Orleans or the Terrebonne Parish, Courthouse, Houma, La., and classified as Class II; and (2) for milk received from producers at a pool plant 50 miles or less from the basing points in New Orleans or Houma and classified as Class II pursuant to § 1094.41 (b) (3), (4), and (6) shall be reduced by 13.5 cents.

Proposal No. 10. Add subparagraph (5) to § 1094.51(b), Class Price, to read as follows:

(5) Subtract 35 cents for milk delivered over 125 miles to cheese plants of condenseries, from pool or supply plants.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 11. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, William J. Larzelere, Post Office Box 456, Metairie, LA 70004, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on August 2, 1971.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.71-11237 Filed 8-4-71;8:50 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales
Registration

[24 CFR Parts 1710, 1720]

[Docket No. N-71-102]

INTERSTATE LAND SALES FULL DISCLOSURE ACT

Enforcement Proceedings Provision Implementation; Notice of Hearing

On January 21, 1971, proposed informal procedures and rules of practice (Part 1720) were published inviting comment on the proposed regulations to implement the enforcement proceedings of the Interstate Land Sales Full Disclosure Act.

On February 24, 1971, notice of proposed rule making (Part 1710) was published inviting comment on the proposed revision of the regulations promulgated pursuant to the Interstate Land Sales Full Disclosure Act.

The Administrator of the Office of Interstate Land Sales Registration as a result of comments received on the notice of proposed rule making and proposed informal procedures and rules of practice finds that it is appropriate in the public interest in carrying out the provisions of the Interstate Land Sales Full Disclosure Act that an informal public proceeding of record be conducted with an opportunity for all interested parties, by their counsel if they so desire, to present oral comment with respect to Parts 1710 and 1720 of the regulations.

Opportunity will be afforded for an exchange of comments between representatives of consumer organizations, interested State regulatory officials and others regarding the land sales industry.

Accordingly, notice is hereby given that an informal proceeding will be held in Conference Room 7233, 7th floor, Department of HUD Building, 451 Seventh Street SW., Washington, D.C., at 10 a.m., e.d.t., on August 16 and August 17, 1971.

Persons wishing to appear and make statements should file with the Rules Docket Clerk, Room 10256, Office of the General Counsel, a request to be allocated time for their respective statements. Time will also be allocated for unscheduled appearances.

Issued at Washington, D.C., August 2, 1971.

EUGENE A. GULLEDGE,
Assistant Secretary for Housing
Production and Mortgage
Credit.

[FR Doc.71-11240 Filed 8-4-71;8:50 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 11281]

HAWKER SIDDELEY MODEL DH-104 "DOVE" AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Hawker Siddeley Model DH-104 "Dove" airplanes. There has been a case of fatigue cracking adjacent to the ball race housing connecting with the short reversal link on the upper arm of the rudder control pedal reversal lever, P/N 4CF.767A. The cracking reduced the effective cross-sectional area of the lever arm and resulted in failure of the rudder control pedal reversal lever. Failure of this lever could result in jamming and loss of rudder control. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require periodic inspection of the upper arm of the rudder control pedal reversal lever for cracks, using a dye penetrant method, and a visual inspection for mechanical damage, and the replacement of cracked parts and the repair of damaged parts.

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 number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20590. All communications received on or before September 3, 1971, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following airworthiness directive:

HAWKER SIDDELEY AVIATION. Applies to Hawker Siddeley Model DH-104 "Dove" airplanes.

Compliance is required as indicated.

To detect cracks in the upper arm of the rudder control pedal reversal lever, P/N 4CF.767A, accomplish the following:

(a) Within the next 200 hours' time in service after the effective date of this AD, unless already accomplished within the last 2,200 hours' time in service, and thereafter at intervals not to exceed 2,400 hours' time in service from the last inspection, inspect the upper arm of the rudder control pedal reversal lever, P/N 4CF.767A, for cracks, using a dye penetrant method, in accordance with Hawker Siddeley Technical News Sheet Series: CT(104) No. 219, Issue I, dated October 19, 1970, or later ARB-approved issue or FAA-approved equivalent. If no cracks are found, visually inspect the upper radius surface of the upper arm of the rudder control reversal lever for marks or other evidence of mechanical damage.

(b) If a crack is found during an inspection required by paragraph (a), before further flight replace the rudder control pedal reversal lever, P/N 4CF.767A, with a new part of the same part number and continue to inspect in accordance with paragraph (a).

(c) If marks or other evidence of mechanical damage are found during an inspection required by paragraph (a), before further flight smoothly blend out the marks and renew the protective treatment, using selenious acid treatment, and repaint the part. After refitting the part, continue to inspect in accordance with paragraph (a).

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

Issued in Washington, D.C., on July 29, 1971.

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

[FR Doc.71-11191 Filed 8-4-71;8:47 am]

[14 CFR Part 39]

[Docket No. 11282]

HAWKER SIDDELEY MODEL DH-114 "HERON" AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Hawker Siddeley Model DH-114 "Heron" airplanes. There has been a case of fatigue cracking adjacent to the ball race housing connecting with the short reversal link on the upper arm of the rudder control pedal reversal lever, P/N 4CF.767A, on a Hawker Siddeley "Dove" airplane. The cracking reduced the effective cross-sectional area of the lever arm and resulted in failure of the rudder control pedal reversal lever. Failure of this lever could result in jamming and loss of rudder control. Since the rudder control pedal reversal lever for the "Dove" airplane is the same as that for the "Heron" airplane the same condition is likely to exist or develop in the "Heron," and the proposed airworthiness directive would require periodic inspection of the upper

[14 CFR Part 39]

[Docket No. 11283]

**HAWKER SIDDELEY MODEL DH-114,
SERIES 2, "HERON" AIRPLANES****Proposed Airworthiness Directive**

arm of the rudder control pedal reversal lever for cracks, using a dye penetrant method, and a visual inspection for mechanical damage, and the replacement of cracked parts and the repair of damaged parts.

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 number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20590. All communications received on or before September 3, 1971, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following airworthiness directive:

HAWKER SIDDELEY AVIATION. Applies to Hawker Siddeley Model DH-114 "Heron" airplanes.

Compliance is required as indicated.

To detect cracks in the upper arm of the rudder control pedal reversal lever, P/N 4CF.767A, accomplish the following:

(a) Within the next 200 hours' time in service after the effective date of this AD, unless already accomplished within the last 2,200 hours' time in service, and thereafter at intervals not to exceed 2,400 hours' time in service from the last inspection, inspect the upper area of the rudder control pedal reversal lever, P/N 4CF.767A, for cracks using a dye penetrant method in accordance with Hawker Siddeley Technical News Sheet Series: "Heron" 114, No. C.F. 15, Issue 1, dated October 19, 1970, or later ARB-approved issue or FAA-approved equivalent. If no cracks are found, visually inspect the upper radiused surface of the upper arm of the rudder control reversal lever for marks or other evidence of mechanical damage.

(b) If a crack is found during an inspection required by paragraph (a), before further flight replace the cracked part with a new part of the same part number and continue to inspect in accordance with paragraph (a).

(c) If marks or other evidence of mechanical damage are found during an inspection required by paragraph (a), before further flight smoothly blend out the marks and renew the protective treatment, using a selenious acid treatment, and repaint the part. After refitting the part, continue to inspect in accordance with paragraph (a).

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

Issued in Washington, D.C., on July 29, 1971.

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

[FR Doc.71-11192 Filed 8-4-71;8:47 am]

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Hawker Siddeley Model DH-114, Series 2, "Heron" airplanes. There have been reports of cracks in the lugs on the main undercarriage down lock operating lever, P/N 14-2U.573, which is the basic casting of the down lock operating lever assembly, P/N 14-2U.181A/1 (post-Modification 608), and in the basic casting that could cause failure of the down lock operating lever and result in wheels-up landings. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require inspection using a dye penetrant method of the main undercarriage down lock operating lever assembly for cracks; and the replacement of assemblies found to be cracked. Cracked assemblies, P/N 14-2U.181A (pre-Modification 608), may be replaced with new or serviceable assemblies of the same part number, or by improved assemblies, P/N 14-2U.181A/2. Cracked assemblies, P/N 14-2U.181A/1 (post-Modification 608), must be replaced with improved assemblies, P/N 14-2U.181A/2.

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 number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20590. All communications received on or before September 3, 1971, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of the Federal Aviation Regulations by adding the following new airworthiness directive:

HAWKER SIDDELEY. Applies to Hawker Siddeley Model DH-114, Series 2, "Heron" airplanes which do not incorporate Heron Modification 1592, Part A.

Compliance is required as indicated.

To prevent failure of the main undercarriage down lock operating lever assembly, accomplish the following:

(a) For airplanes with main undercarriage down lock operating lever assembly, P/N 14-2U.181A (pre-Modification 608), within the next 150 hours' time in service after the effective date of this AD unless accomplished within the last 150 hours' time in service, remove the lever assembly from the airplane, remove the protective coating and paint from the assembly and inspect for cracks, using a dye penetrant method, in accordance with

Hawker Siddeley Technical News Sheet Series: Heron (114) No. U.12, Issue 1, dated April 13, 1970, or later ARB-approved issue or FAA-approved equivalent. If no cracks are found visually inspect the lever assembly for corrosion.

(b) If cracks, or corrosion that cannot be removed by cleaning are found during the inspection required by paragraph (a), before further flight replace the affected part with a serviceable part of the same part number or replace the lever assembly with a new lever assembly, P/N 14-2U.181A/2, in accordance with Hawker Siddeley "Heron" Modification 1592.

(c) For airplanes with main undercarriage down lock operating lever assembly, P/N 14-2U.181A/1 (post-Modification 608), within the next 150 hours' time in service after the effective date of this AD, or within 300 hours' time in service from the last inspection, whichever occurs later, and thereafter at intervals not to exceed 300 hours' time in service from the last inspection, remove the lever assembly from the airplane, remove the protective coating and paint from the assembly and inspect for cracks, using a dye penetrant method, in accordance with Hawker Siddeley Technical News Sheet Series: Heron (114) No. U.12, Issue 1, dated April 13, 1970, or later ARB-approved issue or FAA-approved equivalent.

(d) If cracks are found during an inspection required by paragraph (c), before further flight replace the lever assembly with a new lever assembly, P/N 14-2U.181A/2 in accordance with Hawker Siddeley "Heron" Modification 1592.

(e) The repetitive inspections required by paragraph (c) may be discontinued after lever assembly, P/N 14-2U.181A/2, has been installed in accordance with Hawker Siddeley "Heron" Modification 1592.

(f) Replacement parts and serviceable parts that are reinstalled must be protected with a coat of lanolin, or FAA-approved equivalent prior to their installation in the airplane.

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

Issued in Washington, D.C., on July 29, 1971.

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

[FR Doc.71-11193 Filed 8-4-71;8:47 am]

**National Highway Traffic Safety
Administration****[49 CFR Part 571]**

[Docket 71-18; Notice 1]

**TIRES FOR MULTIPURPOSE PASSENGER
VEHICLES, TRUCKS, BUSES,
TRAILERS, AND MOTORCYCLES****Proposed Motor Vehicle Safety
Standard**

The purpose of this notice is to propose a new motor vehicle safety standard, No. 119, for tires for use on multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles. An advance notice of proposed rulemaking on the subject was issued on October 14, 1967 (32 F.R. 14280), and a public meeting was held on June 1 and 2, 1970.

Approximately 15 percent of the domestic tire production is for these vehicles. The vehicle mileage of the group is, however, considerably higher than that percentage of the total. These vehicles are involved in approximately 14 percent of the motor vehicle accidents, and the fatality rate in this group of accidents is higher than the rate for all vehicles. Tire technology has advanced rapidly in recent years, but tire failure is still a frequent cause of vehicle disablement, and one that is often accompanied by sudden impairment or loss of vehicle control. Thus, a performance standard for tires for use on vehicles other than passenger cars appears to be fully justified.

On the basis of the discussion at the June 1970 public meeting, and other comments and information received, the "single system" that was suggested at the meeting, providing one universal load and inflation table for each tire, has not been adopted in this proposal. The standardization work that is presently in process has not progressed sufficiently to allow for the universal concept of one table. This proposal is therefore based on the current basic industry criteria for dimensions, size designations, load and inflation values, and test procedures, and represents an interim position pending international standardization in these areas. The criteria selected, based on the geographic areas of greatest usage, are those of the American Tire and Rim Association for bias-ply tires and tires for recreational, boat and special trailer usage, of the European Tyre and Rim Technical Organisation for radial-ply tires, and the Japan Automobile Tire Manufacturers Association for motorcycle tires.

As recommended by several of the manufacturers' associations, the load range concept has been adopted in this proposal as a basis for test performance requirements, with the letter denoting the tire's range marked on the tire. It is expected that this concept will further the process of standardization of tire designations, and is already in wide use throughout the user industries.

The proposed test for strength determination is based on the load range of the tire, using $\frac{5}{16}$ -inch, $\frac{1}{2}$ -inch, $\frac{3}{4}$ -inch, and $1\frac{1}{4}$ -inch diameter plungers on previously untested tires.

The endurance and high-speed test loads are the values in use by the industry, corrected for use with a curved test surface (the 67.23-inch-diameter wheel).

Instead of the "city-suburban" and "city (only)" designations for certain bus tires that presently are in common use, the proposed standard includes provisions for maximum speed ratings on the tires intended for such use. Unrestricted bus tires would be tested in the same manner as other tires. Comments are requested on the possibility of eliminating some of the speed categories, such as by combining the 55-m.p.h. and 50-m.p.h. categories.

The endurance test schedule proposed would require slower test speeds for the heavier tires in the higher load ranges, as is done in current industry testing, in order to compensate for the higher buildup of heat in these tires. Comments are specifically requested on the feasibility of establishing consistent test parameters for all tires, and on suggested test methods to accompany them.

Under this proposal, each tire would have to meet requirements that are qualitatively similar to those in Standard No. 109 for passenger car tires. A given tire would be generally required to meet the performance requirements when mounted on any rim listed as suitable for its size designation in the publications, current at the time of the tire's manufacture, of the tire and rim associations that are listed in the standard. It would be required to meet the dimensional requirements when mounted on any such rim of the width listed in the load-inflation tables of this standard. However, a tire manufacturer would be able to make exceptions to this requirement, and deny the appropriateness of a listed rim for use with a tire, by permanently marking the tire with the information that the tire is not to be used with specified rim designations. It is assumed that this exception procedure would not normally be necessary, since the associations generally provide tire-rim matches that are agreed on by their member manufacturers. In addition to the permanent marking for any non-matching listed rims, each tire manufacturer would be required to attach to the tire, for the information of distributors, dealers and users, a label listing the designations of rims appropriate for use with the tire.

Proposed effective date: September 1, 1972.

Interested persons are invited to submit written data, views, and arguments concerning the proposed standard. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5217, 400 Seventh Street SW., Washington DC 20591. It is requested, but not required, that 10 copies be submitted. All comments received before the close of business on November 2, 1971, will be considered, and will be available for examination in the docket room at the above address both before and after the closing date. To the extent possible, comments filed after the closing date will be considered by the Administration. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The Administration will continue to file relevant material, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

This notice of proposed rulemaking is issued under the authority of sections

103, 112, 113, 114, 119, and 201 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1392, 1401, 1402, 1403, 1407, 1421), and the delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.

Issued on July 29, 1971.

ROBERT L. CARTER,
Acting Associate Administrator,
Motor Vehicle Programs.

§ 571.21 Federal Motor Vehicle Safety Standards.

MOTOR VEHICLE SAFETY STANDARD NO. 119
NEW PNEUMATIC TIRES—MULTIPURPOSE
PASSENGER VEHICLES, TRUCKS, BUSES,
TRAILERS, AND MOTORCYCLES

S1. *Scope.* This standard establishes performance, marking, and dimensional requirements for tires for use on motor vehicles other than passenger cars.

S2. *Purpose.* The purpose of this standard is to provide safe operational performance levels for tires used on motor vehicles other than passenger cars, and to have information marked on the tires sufficient for their proper selection and use.

S3. *Application.* This standard applies to new pneumatic tires for use on multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles manufactured after 1948.

S4. *Definitions.* All terms defined in the Act and the rules and standards issued under its authority are used as defined therein.

S5. *Requirements.* Each tire shall be capable of meeting any of the requirements set forth below, when mounted on a rim selected in accordance with S5.1. However, a particular tire need not meet further requirements after having been subjected to, and having met the requirements of, either the endurance test (S6.2), the strength test (S6.3), or the high speed performance test (S6.4).

S5.1 *Tire and rim matching.* Each tire shall be capable of meeting the requirements of—

(a) S5.3, S5.4, and S5.5 when mounted on any rim, except for nonmatching rims designated in accordance with S5.1.2, listed as appropriate for that tire size designation in the publications specified in S5.1.1; and

(b) S5.2 when mounted on any rim, listed as in (a), that is of the width specified in Table I, II, III, or IV of Appendix A for its tire size designation.

S5.1.1 The rims to be matched with a given tire in accordance with S5.1 shall be those so listed in the publications, current at the time of manufacture of the tire, of the following organizations:

The Tire and Rim Association.
The European Tyre and Rim Organisation.
Japan Standards Association.
The Japan Automobile Tire Manufacturers Association.
Deutsche Industrie Norm.
The Society of Motor Manufacturers & Traders, Ltd.
Scandinavian Tire and Rim Organization.

S5.1.2 If a tire is—

(a) Listed in the publications specified in S5.1.1 as appropriate for matching with one or more rim designations; and

(b) Determined by its manufacturer not to be appropriate for matching with one or more of those rim designations; then the tire shall be permanently marked or labeled with the words "Not To Be Used With" followed by the designations of all such nonmatching rims.

S5.1.3 Each tire shall have affixed to it a label listing the designation of each rim that is appropriate for use with that tire. The label may be detachable, but shall be affixed in such a manner that it will not become inadvertently detached in the normal course of the tire's distribution.

S5.2 *Physical dimensions.* The average overall width at any set of locations and the overall diameter of the tire when mounted on a rim of the width specified in Table I, II, III, or IV of Appendix A for its size designation, measured in accordance with S6.1, shall be not more than the dimensions specified in those tables.

S5.3 *Endurance.* When tested in accordance with the endurance test specified in S6.2—

(a) There shall be no separation, splitting, or breaking of any portion or component of the tire;

(b) Immediately after the first test period (the time specified in column I of Table VI), the tire pressure shall be not less than the adjusted pressure at the beginning of the test; and

(c) The tire pressure as measured at the end of the 15-minute interval in S6.2(h) shall not differ by more than 2 p.s.i. from the pressure as measured at the beginning of the interval.

S5.4 *Strength.* When tested in accordance with S6.3, the tire's average breaking energy value shall be not less than the applicable value specified in Table V.

S5.5 *High speed performance.* When tested in accordance with the high speed performance test specified in S6.4, the tire shall meet the requirements set forth in S5.3 (a) and (c). This requirement applies only to motorcycle tires, trailer tires listed in Table IV of Appendix A, and tires with no speed restriction that have the suffix ST, TR, or LT.

S5.6 *Treadwear indicators.* The tire shall have at least six treadwear indicators, spaced approximately equally around the circumference of the tire. The indicators shall enable a person inspecting the tire to determine visually whether the tire has worn to a depth, in the case of any tire except a motorcycle tire, of one-sixteenth of an inch, and in the case of a motorcycle tire, of one thirty-second of an inch. The indicators shall, as a minimum, show treadwear—

(a) At points on the tread not more than one-fourth of the tread width from the edge of the tread; and

(b) At points not farther from the tread centerline than the shortest distance of a tread groove from the center-

line. For the purpose of this requirement, "tread groove" means any tread opening or space between raised tread elements, regardless of direction or configuration.

S5.7 *Tire marking.* The tire shall be marked on each sidewall, except as otherwise specified, in locations described in figure 1 of Part 574 of this chapter (the Tire Identification and Record Keeping regulations), with the information specified in (a) through (i) below. The marking shall be raised above or sunk below the tire surface not less than 0.020 inch and not more than 0.040 inch.

(a) The symbol DOT, which shall constitute a certification that the tire conforms to applicable Federal motor vehicle safety standards. This symbol need be shown only on one sidewall.

(b) The tire identification number required by Part 574 of this chapter. This number need be shown only on one sidewall.

(c) The tire size designation. This shall be one of those shown in Table I, II, III, or IV of Appendix A, as applicable according to the tire's type of construction and intended use.

(d) The maximum load rating and inflation pressure, shown as follows:

Maximum Load Single	----- lbs. at -----
Inflation Pressure.	
Maximum Load Dual	----- lbs. at -----
Inflation Pressure.	

The inflation pressure shown for single-tire usage shall be one of those shown in the applicable table of Appendix A, and the maximum load rating for single-tire usage shall be the figure given in the table for that pressure. The load rating and inflation pressure shown for dual-tire usage shall be as determined by the tire manufacturer, except that the maximum inflation pressure shall be not more than the figure shown for single-tire usage, and the maximum load shall be not more than 95 percent of the figure shown for single-tire usage.

(e) The speed restriction of the tire, if any, by the words: "Max. speed --- m.p.h." A maximum speed may be shown only for the tire sizes and load ranges listed in Tables I-F and I-G of Appendix A, and the speed shown shall be an applicable one listed in that table.

(f) The actual number of plies and the composition of the ply cord material in the sidewall, and if different, in the tread area.

(g) The words "tubeless" or "tube type", as applicable.

(h) The word " regroovable", if the tire is designed for regrooving.

(i) A letter designating the tire load range. This letter shall be the one listed in Table I, II, III, or IV of Appendix A, as applicable, for the tire size designation and the maximum load for single-tire usage marked on the tire in accordance with S5.7(d). The applicable letter shall be the first one to the right of the maximum load value in the table.

S6. Test procedures.

S6.1 *Physical dimensions.*

(a) Mount the tire on the rim and

inflate it to the pressure marked on the tire for maximum load for single-tire usage.

(b) Condition the tire-rim assembly at an ambient temperature of 70° F. for 24 hours.

(c) Readjust the tire pressure to that specified in (a).

(d) Measure the overall width of the tire at six points equally spaced around the tire circumference, and compute the average of these measured values.

(e) Measure the maximum circumference of the tire. The overall diameter of the tire is this value divided by pi.

S6.2 *Endurance.*

(a) Mount the tire on the rim and inflate it to the pressure marked on the tire for maximum load for single-tire usage.

(b) Condition the tire-rim assembly at an ambient temperature of 100° F. for 3 hours.

(c) Readjust the tire pressure to that specified in (a).

(d) Mount the tire-rim assembly on an axle and press it against a flat-faced steel test wheel that is 67.23 inches in diameter and at least as wide as the tread width of the tire.

(e) During the test, including the pressure measurements, maintain the temperature of the ambient air, as measured 12 inches from each point on the tire sidewall, at 100° F. Locate the temperature sensor so that its readings are not affected by heat radiation, drafts, variations in the temperature of the surrounding air, or guards and other devices.

(f) Apply the applicable test loads and rotate the tire at the indicated speed in Table VI of Appendix A. Conduct the test without interruption except to measure the tire pressure immediately after the end of the first test period (specified in column I of Table VI).

(g) After running the tire for the required distance, allow the tire-rim assembly to cool, without readjusting the inflation pressure until the tire shoulder temperature reaches 100° F. or until 2 hours elapse, whichever occurs last. Determine the tire shoulder temperature by inserting a temperature probe three-eighths of an inch into a raised tread element one-half inch from the outer edge of the tread, or if there is no raised element at that point, at the center of the outermost raised element.

(h) Measure the tire inflation pressure at the end of the cooling period, and again 15 minutes later.

S6.3 *Strength.*

(a) Mount the tire on the rim and inflate it to the pressure marked on the tire for maximum load for single-tire usage.

(b) Condition the tire-rim assembly at an ambient temperature of 70° F. for 3 hours.

(c) Readjust the tire pressure to that specified in (a).

(d) Force a cylindrical steel plunger, with a hemispherical end and of the diameter specified in Table V-A for the tire, perpendicularly into a raised tread

element as near as possible to the centerline of the tread, at a rate of 2 inches per minute, until the tire breaks or the plunger is stopped by the rim.

(e) Record the force and the distance of penetration just before the tire breaks, or if it fails to break, just before the plunger is stopped by the rim.

(f) Repeat the plunger application at 72° intervals around the circumference of the tire, until five measurements are made.

(g) Compute the breaking energy for each test point by the following formula:

$$W = \frac{FP}{2}$$

where

- W=Breaking energy,
- F=Force in pounds, and
- P=Penetration in inches.

(h) Determine the average breaking energy value for the tire by computing the average of the five values obtained in accordance with S6.3(g).

S6.4 High speed performance.

(a) Perform steps (a) through (e) of S6.2.

(b) Apply the applicable test load specified in Table VII, and rotate the tire at 50 m.p.h. for 2 hours.

(c) Remove the load, allow the tire to cool to 100° F., and then readjust the pressure to that marked on the tire for minimum load for single-tire usage.

(d) Reapply the load, and without interruption or readjustment of inflation pressure, rotate the tire at 75 m.p.h. for 30 minutes, then at 80 m.p.h. for 30 minutes, and then at 85 m.p.h. for 30 minutes.

(e) Perform steps (g) and (h) of S6.2. S7. Requirements for reclassified tires. Reclassified tires may be sold by the manufacturer under the following conditions only:

S7.1 Marking. Each reclassified tire shall be conspicuously marked 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. Other marking required by S5.7 of this standard shall be removed.

(a) Size designation.

(b) Name of manufacturer or brand name and approved code mark.

(c) 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. S7.1.1 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.

S7.2 Labeling. 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 "25-72."

(c) The following statement:

This Tire Does Not Conform to the Requirements of Federal Motor Vehicle Safety Standards and Should Not Be Used On Vehicles That Travel on the Public Roads. Anyone Who Sells This Tire for Use on Such Vehicles, 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.

S7.3 Reporting. On January 31, 1973, each manufacturer reclassifying tires to which this standard applies shall submit to: Reclassified Tires, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20591, a report containing the information specified below for the period covering September 1, 1972, through December 31, 1972. Thereafter each such manufacturer shall submit a report containing the information specified below on July 31 of each year for the period covering the preceding January 1 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.

APPENDIX A—FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 119

TABLE I-A—BIAS PLY TYPE—SINGLE TIRE USAGE—NORMAL—HIGHWAY SERVICE

Maximum tire loads, measuring rims, maximum overall widths and diameters, load range designations¹ for ultra light truck, light truck, bus, trailer, and multipurpose passenger vehicle tires:

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)														Measuring rim width (inches)	Maximum overall tire width (inches)	Maximum overall tire diameter (inches)		
	39	35	40	45	50	55	60	65	70	75	80	85	90	95				100	
ULTRA LIGHT TRUCKS																			
4.50-10 LT ¹	525	575(B)															3.00	5.24	20.16
4.50-12 LT.....	600	655(B)	710	760(C)	805	855	895(D)										3.00	5.24	22.20
5.00-10 LT.....	620	675(B)	730	785(C)													3.50	5.83	21.10
5.00-12 LT.....	700	765(B)	825	885(C)	940	995	1,050(D)										3.50	5.83	23.15
LIGHT TRUCKS																			
5.00-12 LT.....	765	840	900	950(C)													3.50	5.83	24.26
5.00-14 LT.....	800	875	945	1,015(C)													3.50	5.83	25.28
5.50-12 LT.....	750	815	870	920(C)													3.50	5.35	22.27
5.50-14 LT.....	770	830	870	910(C)													4.00	5.50	21.94
5.50-13 LT.....	860	945	1,025	1,105(C)	1,170	1,230	1,290(D)										4.00	6.43	25.30
5.50-14 LT.....	905	990	1,075	1,160(C)	1,225	1,290	1,355(D)										4.00	6.43	27.35
5.50-15 LT.....	950	1,040	1,130	1,215(C)	1,285	1,365	1,425(D)										4.00	6.43	28.39
5.50-16 LT.....	1,000	1,090	1,180	1,270(C)													4.00	6.43	29.43
5.50-17 LT.....	840	915	985	1,045(C)													4.00	5.83	22.74
5.50-13 LT.....	865	940	1,015	1,080(C)													4.00	5.83	23.78
5.50-14 LT.....	915	1,005	1,085	1,155(C)													4.50	6.22	24.49
5.50-15 LT.....	1,015	1,100	1,175	1,245(C)													4.50	6.22	25.53
5.50-16 LT.....	1,075	1,165	1,240	1,300(C)													4.50	6.22	26.58
5.50-17 LT.....	895	965	1,010	1,060(C)													4.50	6.22	22.83
5.50-13 LT.....	1,005	1,100	1,195	1,290(C)	1,360	1,425	1,490(D)										4.50	7.07	26.58
5.50-14 LT.....	1,050	1,150	1,250	1,345(C)	1,425	1,505	1,580(D)										4.50	7.07	27.59
5.50-15 LT.....	1,100	1,205	1,310	1,410(C)	1,495	1,575	1,655(D)										4.50	7.07	28.59
5.50-16 LT.....		1,285	1,410	1,530	1,640	1,730	1,820	1,895	1,970(E)								4.00	6.50	31.40
5.50-17 LT.....		1,330	1,465	1,595	1,700	1,785(D)	1,870	1,945	2,000(E)								5.00	6.77	33.65
5.50-13 LT.....	1,100	1,185	1,260	1,335(C)	1,405	1,480	1,545(D)										5.00	6.77	25.45
5.50-14 LT.....	1,150	1,235	1,320	1,395(C)													5.00	6.77	26.48
5.50-15 LT.....	1,180	1,280	1,375	1,465(C)													5.00	6.77	27.51
5.50-16 LT.....	1,130	1,225	1,330	1,435(C)	1,515	1,595	1,675										4.50	7.45	27.89
5.50-14 LT.....	1,130	1,195	1,270	1,335(C)	1,410	1,485	1,560(D)										5.00	6.77	25.85
5.50-15 LT.....	1,145	1,235	1,320	1,395(C)	1,475	1,555	1,635(D)										5.00	6.77	26.88

See footnotes at end of table.

TABLE I-A—BIAS PLY TYPE—SINGLE TIRE USAGE—NORMAL HIGHWAY SERVICE—Continued

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)														Measuring rim width (inches)	Maximum overall tire width (inches)	Maximum overall tire diameter (inches)	
	30	35	40	45	50	55	60	65	70	75	80	85	90	95				100
6.50-17 LT	1,250	1,360	1,470(C)	1,580	1,690(D)	1,760	1,835	1,900(E)								4.50	6.54	29.01
6.50-20 LT	1,640	1,790	1,950(C)	2,060	2,195	2,315(D)										5.00	7.24	34.76
6.70-13 LT	1,180	1,280	1,375	1,465(C)	1,550	1,630	1,710(D)									5.00	7.09	29.22
6.70-14 LT	1,235	1,335	1,435	1,530(C)	1,615	1,705	1,785(D)									5.00	7.09	27.36
7.00-18 LT	1,690	1,845	2,000	2,150	2,285(D)	2,380	2,485	2,560(E)								5.50	7.80	33.88
7.00-20 LT	1,845	2,005	2,170(C)	2,310	2,445(D)	2,565	2,705	(E)								5.50	7.80	35.88*
7.50-14 LT	1,285	1,400	1,510	1,620(C)	1,710	1,795	1,870(D)									5.50	7.56	27.51
7.50-17 LT	1,890	2,055	2,215	2,350	2,500(D)	2,635	2,785	(E)								6.00	8.27	34.04
165-15 LT	1,075	1,175	1,260	1,345(C)												5.00	6.69	25.93
195-14 LT				1,720(C)												5.50	7.80	26.64
19-40 LT	1,530	1,670	1,804	1,940	2,065	2,190	2,360(D)									5.90	7.87	29.27
6.00-16 LT	1,130	1,230	1,330	1,430(C)	1,530	1,630(D)	1,760	1,865	(E)							4.50	7.34	30.30
6.50-16 LT	1,270	1,390	1,500	1,610(C)	1,720	1,830	1,940(D)	2,050	2,170(E)							4.50	7.72	31.31
6.70-15 LT	1,210	1,320	1,430	1,530(C)	1,630	1,730	1,830(D)									5.00	8.10	29.97
7.00-13 LT	1,090	1,190	1,290	1,390(C)	1,490	1,590	1,690(D)									5.00	7.94	26.93
7.00-14 LT	1,090	1,190	1,290	1,390(C)	1,490	1,590	1,690(D)	1,790	1,890	1,990(E)						5.00	7.94	27.82
7.00-15 LT	1,350	1,450	1,550	1,650(C)	1,750	1,850	1,950(D)	2,050	2,150	2,250	2,350	2,450	2,550	2,650	2,750	5.50	8.59	31.22
7.00-16 LT	1,430	1,560	1,690	1,820(C)	1,950	2,080	2,210	2,340	2,470	2,600	2,730	2,860	2,990	3,120	3,250	5.50	8.59	32.23
7.10-15 LT	1,330	1,440	1,550	1,670(C)	1,780	1,890	2,000	2,110	2,220	2,330	2,440	2,550	2,660	2,770	2,880	5.00	8.48	30.66
7.50-15 LT	1,560	1,710	1,840	1,980	2,100	2,220	2,330(D)	2,450	2,560	2,660(E)	2,770	2,880	2,990(F)	3,090	3,190	6.00	9.34	32.54
7.50-16 LT	1,620	1,770	1,930	2,060(C)	2,190	2,310	2,440(D)	2,560	2,670	2,780(E)	2,890	3,000	3,110(F)	3,220	3,330(G)	6.00	9.34	33.54
8.25-16 LT	1,980	2,160	2,330	2,500	2,660	2,820	2,960(E)	3,100	3,240	3,375(F)	3,520	3,660	3,800(G)			6.50	10.25	35.69
9.00-16 LT	2,250	2,460	2,660	2,850	3,030	3,210	3,370(E)									6.50	10.91	37.10
7-14.5	1,140	1,240	1,350	1,440	1,530	1,620	1,710	1,790	1,870(D)	1,940	2,020	2,090(E)	2,160	2,230	2,300(F)	6.00	7.88	27.61
8-14.5	1,380	1,510	1,630	1,750	1,860	1,970	2,070	2,170	2,270	2,360	2,450	2,540(E)	2,620	2,710	2,790(F)	6.00	8.64	28.89
9-14.5	1,600	1,750	1,890	2,020	2,150	2,280	2,400	2,510	2,620(D)	2,730	2,830	2,940(E)	3,040	3,130	3,230(F)	7.00	10.26	29.18
7-17.5	1,430	1,565	1,695	1,815(C)	1,925	2,040	2,145(D)									5.25	8.05	31.50
8-17.5	1,640	1,790	1,940	2,075(C)	2,205	2,335	2,455(D)									5.25	8.48	32.78

* The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for that load range with that particular tire.

† The letter "C" may be included in any tire size designation adjacent to the "LT".

TABLE I-B—BIAS PLY TYPE—SINGLE TIRE USAGE—NORMAL HIGHWAY SERVICE

Maximum tire loads, measuring rims, maximum overall widths and diameters, load range designations † for truck, bus, trailer, and multipurpose passenger vehicle tires:

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)														Measuring rim width (inches)	Maximum overall tire width (inches)	Maximum overall tire diameter (inches)	
	30	35	40	45	50	55	60	65	70	75	80	85	90					
WIDE BASE																		
8.00-16.5	1,300(B)	1,450	1,610	1,730(C)	1,840	1,945	2,045(D)	2,145	2,240	2,350(E)	2,420	2,500	2,590(F)			6.00	8.40	29.36
8.75-16.5	1,570(B)	1,720	1,850	1,990(C)	2,110	2,240	2,350(D)	2,470	2,570	2,680(E)						6.75	9.19	30.57
9.50-16.5	1,860(B)	2,030	2,190	2,350(C)	2,500	2,650	2,780(D)	2,920	3,050	3,170(E)						6.75	9.97	31.71
10-16.5	1,840(B)	2,010	2,170	2,330(C)	2,480	2,620	2,750(D)									8.25	10.92	31.12
10-17.5	1,910	2,085	2,265	2,425(C)	2,580	2,730	2,870(D)	3,010	3,140	3,270(E)	3,395	3,520	3,640(F)			8.25	10.92	32.12
12-16.5	2,370	2,560	2,800	3,000(D)	3,190	3,370	3,550(E)									9.75	12.70	33.54
14-17.5	3,210(C)	3,500	3,790	4,060(D)	4,320	4,570	4,800(E)	5,030	5,255	5,470(F)	5,680	5,890	6,090(G)			10.50	14.44	37.20
10-15	1,760(B)	1,930	2,080	2,230(C)	2,370	2,510	2,640(D)									8.00	10.92	31.63
10-16	1,840(B)	2,010	2,170	2,330(C)	2,480	2,620	2,750(D)									8.00	10.92	32.63
11-14	1,820(B)	1,990	2,150	2,300(C)	2,450	2,590	2,730(D)									8.00	11.55	30.82
11-15	1,900(B)	2,080	2,250	2,410(C)	2,560	2,710	2,850(D)									8.00	11.55	31.82
11-16	1,980(B)	2,160	2,320	2,500(C)	2,650	2,810	2,950(D)									8.00	11.65	32.82

† The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for that load range with that particular tire.

PROPOSED RULE MAKING

TABLE I-E--BIAS PLY TYPE--SINGLE TIRE USAGE--NORMAL HIGHWAY SERVICE

Maximum tire loads, measuring rims, maximum overall widths and diameters, load range designations¹ for truck, trailer, and bus tires:

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)												Measuring rim width (inches)	Maximum overall tire width (inches)	Maximum overall tire diameter (inches)
	45	50	55	60	65	70	75	80	85	90	95	100			
8.5-20.....	2,360	2,530	2,680	2,840	2,990	3,140	3,270	3,410	3,530	3,660	3,780(F)	6.00	8.95	35.53	
9.4-20.....	2,800	3,010	3,190	3,370	3,560	3,730	3,890	4,050	4,210	4,350	4,500(G)	6.50	9.86	40.18	
10.3-20.....		3,560	3,770	4,000	4,210	4,410	4,610	4,790	4,970	5,150	5,340(G)	7.00	10.81	42.10	
11.1-20.....			4,290	4,530	4,770	4,990	5,230	5,430	5,640	5,850	6,040(H)	7.50	11.61	43.98	
11.1-22.....			4,560	4,820	5,070	5,310	5,550	5,780	6,000	6,210	6,430(H)	7.50	11.61	45.36	
11.9-20.....			4,670	4,940	5,200	5,450	5,690	5,920	6,140	6,370	6,590(H)	8.00	12.24	44.89	
11.9-22.....			4,960	5,240	5,530	5,790	6,040	6,290	6,530	6,770	7,000(H)	8.00	12.24	46.89	
12.5-20.....				5,620	5,920	6,200	6,480	6,740	7,000	7,250	7,500(J)	8.50	13.14	46.61	
8.5-22.5.....	2,360	2,530	2,680	2,840	2,990	3,140	3,270	3,410	3,530	3,660	3,780(F)	6.00	8.48	38.52	
9.4-22.5.....	2,800	3,010	3,190	3,370	3,560	3,730	3,890	4,050	4,210	4,350	4,500(G)	6.50	9.54	40.18	
10.3-22.5.....		3,560	3,770	4,000	4,210	4,410	4,610	4,790	4,970	5,150	5,340(G)	7.00	10.60	42.10	
11.1-22.5.....			4,290	4,530	4,770	4,990	5,230	5,430	5,640	5,840	6,040(H)	7.50	11.66	43.98	
11.9-22.5.....			4,670	4,940	5,200	5,450	5,690	5,920	6,140	6,370	6,590(H)	8.00	12.51	44.89	

WIDE BASE

14-19.5.....	4,350	4,620	4,890	5,140	5,390	5,630(F)						10.50	14.44	39.39
15-19.5.....	5,140	5,470	5,790	6,090	6,380	6,660	6,930(G)					11.75	16.01	41.09
15-22.5.....	5,640(E)	6,000	6,340	6,670(F)	6,990	7,300	7,600(G)	7,890	8,180	8,460(H)		11.75	16.01	43.09
16.5-19.5.....	6,030	6,410	6,780	7,130	7,480	7,810	8,130	8,440(H)				13.00	17.59	43.15
16.5-22.5.....	6,590	7,010	7,410	7,790	8,170	8,540	8,900	9,250(H)				13.00	17.59	45.15
18-19.5.....	6,700	7,130	7,540	7,930(G)	8,310	8,680	9,040(H)	9,390	9,730	10,060(J)		14.00	18.90	44.34
18-22.5.....	7,310	7,780	8,220	8,650	9,070	9,470	9,860(H)	10,240	10,610	10,970(J)		14.00	18.90	47.34
19.5-19.5.....	7,900	8,400	8,890	9,350	9,800	10,240	10,650(J)					15.00	20.47	46.80

¹ The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for that load range with that particular tire.

TABLE I-F--BIAS PLY TYPE--SINGLE TIRE USAGE--RESTRICTED SPEED HIGHWAY SERVICE

50 m.p.h. Restricted Speed

Maximum tire loads, measuring rims, maximum overall widths and diameters, load range designations¹ for truck and trailer tires:

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)										Measuring rim width (inches)	Maximum overall tire width (inches)	Maximum overall tire diameter (inches)	
	50	55	60	65	70	75	80	85	90	95				100
13.00-20.....	5,430	5,810	6,180	6,540	6,880	7,210	7,530	7,840	8,140	8,440(H)		9.00	14.20	48.87
14.00-20.....	6,410	6,860	7,300	7,720(G)	8,130	8,510	8,890	9,260	9,610	9,960(J)	10,300(L)	10.00	15.63	51.63
14.00-24.....	7,150	7,660	8,160	8,620	9,070	9,500	9,930	10,340	10,730	11,120(J)	11,500(N)	10.00	15.63	55.63

¹ The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for that load range with that particular tire.

TABLE 1-0—SINGLE PLY TYPE—SINGLE TIRE USAGE—RESTRICTED SPEED HIGHWAY SERVICE—Continued

Table with columns: Tires size designation, Maximum tire load (pounds) at various cold inflation pressures (p.s.i.), and Measuring tire overall diameter (inches). Rows include tire sizes like 7.00-20 ML, 7.50-20 ML, etc., up to 11-28.5 ML.

The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for that load range with that particular tire.

TABLE 1-1—DUAL PLY TYPE—SINGLE TIRE USAGE—RESTRICTED SPEED HIGHWAY SERVICE

Table with columns: Tires size designation, Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.), and Measuring tire overall diameter (inches). Rows include tire sizes like 7.00-20 ML, 7.50-20 ML, etc., up to 11-28.5 ML.

See footnote at end of table.

PROPOSED RULE MAKING

TABLE II-A—RADIAL PLY TYPE—SINGLE TIRE USAGE—NORMAL HIGHWAY SERVICE

Maximum tire loads, measuring rims, maximum overall widths and diameters, load range designations¹ for truck, bus, trailer and multipurpose vehicle tire:

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)							Measuring rim widths (inches)	Maximum overall tire widths (inches)	Maximum overall tire diameter (inches)	
	35	40	45	50	55	60	65				70
6.00-16 LT ¹	1,165	1,280	1,390(C)	1,490	1,620(D)	1,730	1,825(E)	-----	4.50	6.69	25.00
6.00-18 LT	1,195	1,320	1,445	1,555	1,670	1,780	1,880	1,960(E)	4.00	6.50	31.25
6.40-13 LT	810	1,025	1,140	1,250	1,360	1,460(D)	-----	-----	6.00	6.77	25.89
6.50-16 LT	1,285	1,420	1,565(C)	1,690	1,815(D)	1,940	2,065	2,170(E)	4.50	6.93	26.65
6.50-17 LT	1,260	1,400	1,545	1,680(D)	1,820(E)	-----	-----	-----	4.50	6.93	30.55
6.50-20 LT	1,300	1,450	1,615	1,775	1,935	2,085	2,235(D)	-----	5.50	7.09	34.37
6.70-13 LT	1,025	1,145	1,265	1,380	1,500	1,615(D)	-----	-----	6.00	7.09	35.37
6.70-14 LT	1,065	1,190	1,315	1,435	1,550	1,665(D)	-----	-----	6.00	7.09	27.50
6.70-15 LT	1,155	1,290	1,425	1,555(C)	1,685	1,825(D)	-----	-----	6.00	7.09	28.45
7.00-14 LT	1,130	1,230	1,330(C)	1,390	1,470	1,550(D)	-----	-----	6.00	7.94	27.81
7.00-15 LT	1,155	1,290	1,425	1,555	1,685	1,825(C)	1,960(D)	2,100(E)	5.50	7.68	29.71
7.00-16 LT	1,180	1,330	1,480	1,630	1,780	1,930	2,080	2,230(E)	6.00	7.80	31.00
7.00-17 LT	1,110	1,260	1,410	1,560	1,710	1,860	1,960	2,110(E)	6.00	8.27	32.04
7.50-17 LT	1,630	1,800	1,975	2,150	2,325	2,500	2,670(E)	-----	6.00	8.27	34.04
17-15 (17-380) LT	1,115	1,260	1,390	1,510	1,640	1,770(D)	-----	-----	6.00	7.01	28.96
17-400 LT	1,155	1,290	1,425	1,555	1,685	1,825(D)	-----	-----	6.00	7.32	27.75
19-400 LT	1,395	1,555	1,715	1,875	2,035	2,190(D)	-----	-----	6.00	7.87	28.25
165-14 LT	-----	-----	1,325(C)	-----	-----	-----	-----	-----	4.80	6.57	24.71
185-14 LT	-----	-----	1,545(C)	-----	-----	-----	-----	-----	5.50	7.40	25.53
195-14 LT	-----	-----	1,720(C)	-----	-----	-----	-----	-----	5.50	7.80	26.48
205-14 LT	-----	-----	1,865(C)	-----	-----	-----	-----	-----	6.00	8.19	27.28
7-17.5 LT	1,285	1,420	1,565	1,690	1,815	1,940	2,065	2,170(E)	6.25	7.28	29.91
8-17.5 LT	-----	1,580	1,735	1,880	2,020	2,155	2,295	2,420(E)	6.00	8.19	31.15

¹ The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for the load range with that particular tire. ² The letter "C" may be included in any tire size designation adjacent to the "LT".

TABLE II-B—RADIAL PLY TYPE—SINGLE TIRE USAGE—NORMAL HIGHWAY SERVICE

Maximum tire loads, measuring rims, maximum overall widths and diameters, load range designations¹ for truck, bus, and trailer tires:

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)												Measuring rim widths (inches)	Maximum overall tire widths (inches)	Maximum overall tire diameter (inches)		
	60	65	70	75	80	85	90	95	100	115	110	115				120	
6.50-20	-----	-----	2,400	2,550	2,645(E)	-----	-----	-----	-----	-----	-----	-----	-----	-----	5.50	7.25	34.20
7.00-15 TR	1,960	2,070	2,180	2,280	2,380	2,490(E)	2,580	2,670	2,760(F)	-----	-----	-----	-----	-----	5.50	8.32	32.15
7.00-16	-----	-----	2,430	2,560	2,690	2,810(F)	-----	-----	-----	-----	-----	-----	-----	-----	5.50	7.80	31.18
7.00-18	-----	-----	2,510	2,670	2,865(F)	-----	-----	-----	-----	-----	-----	-----	-----	-----	5.50	7.80	33.44
7.00-20	-----	2,570	2,730	2,890	3,085(F)	-----	-----	-----	-----	-----	-----	-----	-----	-----	5.50	7.80	35.47
7.50-16	-----	-----	2,625	2,790	2,900	3,040	3,140(F)	-----	-----	-----	-----	-----	-----	-----	6.00	8.27	31.80
7.50-17	-----	-----	2,600(D)	2,900(E)	3,040	3,190	3,415(F)	-----	-----	-----	-----	-----	-----	-----	6.00	8.27	36.91
7.50-20	2,700	3,030(D)	3,120	3,310	3,415(E)	3,625	3,780	3,970(F)	-----	-----	-----	-----	-----	-----	6.50	9.89	35.18
8.25-15 TR	2,630	2,780	2,930	3,080	3,230	3,340	3,470	3,590	3,720(F)(G)	-----	-----	-----	-----	-----	6.50	9.05	34.20
8.25-16	-----	-----	3,470	3,625	3,780	3,970(G)	-----	-----	-----	-----	-----	-----	-----	-----	6.50	9.05	35.23
8.25-17	-----	-----	3,650	3,825	4,000	4,190(G)	-----	-----	-----	-----	-----	-----	-----	-----	6.50	9.05	38.25
8.25-20	3,090	3,320	3,550	3,750(E)	3,940	4,135(F)	4,310	4,520(G)	-----	-----	-----	-----	-----	-----	7.00	10.81	37.40
9.00-15 TR	3,150	3,330(D)	3,500	3,660	3,830	3,980	4,140	4,290(F)	4,430(G)	-----	-----	-----	-----	-----	6.50	9.08	30.26
9.00-16	-----	-----	4,000	4,190	4,370	4,540	4,710	4,870	5,040	-----	-----	-----	-----	-----	7.00	10.16	40.48
9.00-20	3,610	3,850	4,090	4,330	4,465(E)	4,780	4,940(F)	5,190	5,390	5,580(G)	-----	-----	-----	-----	7.50	11.61	38.56
10.00-15	3,580	3,780	3,980	4,170	4,370	4,540(F)	4,710	4,880	5,050(G)(L)	-----	-----	-----	-----	-----	7.50	10.83	41.83
10.00-20	3,990	4,250	4,500	4,750	5,070(F)	5,230	5,500	5,800(G)	5,990	-----	-----	-----	-----	-----	7.50	11.61	45.54
10.90-22	4,560	4,830	5,070	5,310	5,550	5,780(F)	6,000	6,210	6,430(G)	-----	-----	-----	-----	-----	8.00	12.24	49.89
11.00-15	3,910	4,140	4,350	4,560	4,770	4,990	5,150	5,340	5,520(H)(L)	-----	-----	-----	-----	-----	8.00	11.26	43.03
11.00-20	4,470	4,740	4,910	5,110	5,270	5,520	5,730(F)	6,030	6,310	6,615(G)	6,970	7,160(H)	-----	-----	8.00	11.26	45.02
11.00-22	-----	4,900	5,180	5,460	5,740(F)	6,030	6,320	6,620	6,910	7,215(H)	7,520	7,825(H)	-----	-----	8.00	11.26	47.61
11.90-24	-----	-----	5,010	5,320	5,620	5,920	6,205(G)	6,550	6,860	7,175(H)	7,500	7,960	8,270(J)	-----	8.50	12.32	44.61
12.00-20	-----	5,190	5,520	5,850	6,180	6,500	6,820	7,140	7,460	7,850(H)	-----	-----	-----	-----	8.50	12.32	46.08
12.00-22	-----	-----	6,180	6,500	6,820	7,140	7,460	7,780	8,100	8,420(J)	-----	-----	-----	-----	8.50	12.32	48.75
12.00-24	-----	-----	7,380	7,720	8,060	8,400	8,740	9,080	9,420(J)	-----	-----	-----	-----	-----	9.00	13.25	46.76
13.00-20	5,700	6,100	6,500	6,900	7,300	7,690	8,080	8,470	8,860	9,370(J)	-----	-----	-----	-----	10.00	14.57	48.25
14.00-20	-----	7,440	7,860	8,280	8,700	9,120	9,540	9,920(J)	11,020(M)	-----	-----	-----	-----	-----	10.00	14.57	51.30
14.00-22	-----	7,940	8,290	8,730	9,170	9,610	10,050	10,470(J)	-----	-----	-----	-----	-----	-----	-----	-----	-----

¹ The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for that load range with that particular tire.

TABLE II-C—RADIAL PLY TYPE—SINGLE TIRE USAGE—NORMAL HIGHWAY SERVICE—Continued

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)							Maximum overall tire diameter (inches)
	30	45	50	55	60	65	70	
7-17.5	1,815(C)	1,925	2,040	2,145(D)	2,250	2,355(E)	2,460	21.50
7-19.5	2,100(F)	2,220	2,340	2,460	2,580	2,700	2,820	21.50
8-17.5	2,510(F)	2,640	2,770	2,900	3,030	3,160	3,290	21.50
8-19.5	2,920(G)	3,060	3,200	3,340	3,480	3,620	3,760	21.50
8-21.5	3,330(H)	3,480	3,630	3,780	3,930	4,080	4,230	21.50
8.5-17.5	3,740(I)	3,900	4,060	4,220	4,380	4,540	4,700	21.50
8.5-19.5	4,150(J)	4,320	4,490	4,660	4,830	5,000	5,170	21.50
8.5-21.5	4,560(K)	4,740	4,920	5,100	5,280	5,460	5,640	21.50
9-17.5	4,970(L)	5,160	5,350	5,540	5,730	5,920	6,110	21.50
9-19.5	5,380(M)	5,580	5,780	5,980	6,180	6,380	6,580	21.50
9-21.5	5,790(N)	5,990	6,190	6,390	6,590	6,790	6,990	21.50
9.5-17.5	6,200(O)	6,410	6,620	6,830	7,040	7,250	7,460	21.50
9.5-19.5	6,610(P)	6,830	7,050	7,270	7,490	7,710	7,930	21.50
9.5-21.5	7,020(Q)	7,250	7,480	7,710	7,940	8,170	8,400	21.50
10-17.5	7,430(R)	7,670	7,910	8,150	8,390	8,630	8,870	21.50
10-19.5	7,840(S)	8,090	8,340	8,590	8,840	9,090	9,340	21.50
10-21.5	8,250(T)	8,510	8,770	9,030	9,290	9,550	9,810	21.50
11-17.5	8,660(U)	8,930	9,200	9,470	9,740	10,010	10,280	21.50
11-19.5	9,070(V)	9,350	9,630	9,910	10,190	10,470	10,750	21.50
11-21.5	9,480(W)	9,770	10,060	10,350	10,640	10,930	11,220	21.50
11.5-17.5	9,890(X)	10,190	10,490	10,790	11,090	11,390	11,690	21.50
11.5-19.5	10,300(Y)	10,610	10,920	11,230	11,540	11,850	12,160	21.50
11.5-21.5	10,710(Z)	11,030	11,350	11,670	11,990	12,310	12,630	21.50
12-17.5	11,120	11,450	11,780	12,110	12,440	12,770	13,100	21.50
12-19.5	11,530	11,870	12,210	12,550	12,890	13,230	13,570	21.50
12-21.5	11,940	12,290	12,640	12,990	13,340	13,690	14,040	21.50
12.5-17.5	12,350	12,710	13,070	13,430	13,790	14,150	14,510	21.50
12.5-19.5	12,760	13,130	13,500	13,870	14,240	14,610	14,980	21.50
12.5-21.5	13,170	13,550	13,930	14,310	14,690	15,070	15,450	21.50
13-17.5	13,580	13,970	14,360	14,750	15,140	15,530	15,920	21.50
13-19.5	13,990	14,390	14,790	15,190	15,590	15,990	16,390	21.50
13-21.5	14,400	14,810	15,220	15,630	16,040	16,450	16,860	21.50
13.5-17.5	14,810	15,230	15,650	16,070	16,490	16,910	17,330	21.50
13.5-19.5	15,220	15,650	16,080	16,510	16,940	17,370	17,800	21.50
13.5-21.5	15,630	16,070	16,510	16,950	17,390	17,830	18,270	21.50

TABLE II-C—RADIAL PLY TYPE—SINGLE TIRE USAGE—NORMAL HIGHWAY SERVICE—Continued

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (p.s.i.)							Maximum overall tire diameter (inches)
	30	45	50	55	60	65	70	
7-17.5	1,815(C)	1,925	2,040	2,145(D)	2,250	2,355(E)	2,460	21.50
7-19.5	2,100(F)	2,220	2,340	2,460	2,580	2,700	2,820	21.50
8-17.5	2,510(F)	2,640	2,770	2,900	3,030	3,160	3,290	21.50
8-19.5	2,920(G)	3,060	3,200	3,340	3,480	3,620	3,760	21.50
8-21.5	3,330(H)	3,480	3,630	3,780	3,930	4,080	4,230	21.50
8.5-17.5	3,740(I)	3,900	4,060	4,220	4,380	4,540	4,700	21.50
8.5-19.5	4,150(J)	4,320	4,490	4,660	4,830	5,000	5,170	21.50
8.5-21.5	4,560(K)	4,740	4,920	5,100	5,280	5,460	5,640	21.50
9-17.5	4,970(L)	5,160	5,350	5,540	5,730	5,920	6,110	21.50
9-19.5	5,380(M)	5,580	5,780	5,980	6,180	6,380	6,580	21.50
9-21.5	5,790(N)	5,990	6,190	6,390	6,590	6,790	6,990	21.50
9.5-17.5	6,200(O)	6,410	6,620	6,830	7,040	7,250	7,460	21.50
9.5-19.5	6,610(P)	6,830	7,050	7,270	7,490	7,710	7,930	21.50
9.5-21.5	7,020(Q)	7,250	7,480	7,710	7,940	8,170	8,400	21.50
10-17.5	7,430(R)	7,670	7,910	8,150	8,390	8,630	8,870	21.50
10-19.5	7,840(S)	8,090	8,340	8,590	8,840	9,090	9,340	21.50
10-21.5	8,250(T)	8,510	8,770	9,030	9,290	9,550	9,810	21.50
11-17.5	8,660(U)	8,930	9,200	9,470	9,740	10,010	10,280	21.50
11-19.5	9,070(V)	9,350	9,630	9,910	10,190	10,470	10,750	21.50
11-21.5	9,480(W)	9,770	10,060	10,350	10,640	10,930	11,220	21.50
11.5-17.5	9,890(X)	10,190	10,490	10,790	11,090	11,390	11,690	21.50
11.5-19.5	10,300(Y)	10,610	10,920	11,230	11,540	11,850	12,160	21.50
11.5-21.5	10,710(Z)	11,030	11,350	11,670	11,990	12,310	12,630	21.50
12-17.5	11,120	11,450	11,780	12,110	12,440	12,770	13,100	21.50
12-19.5	11,530	11,870	12,210	12,550	12,890	13,230	13,570	21.50
12-21.5	11,940	12,290	12,640	12,990	13,340	13,690	14,040	21.50
12.5-17.5	12,350	12,710	13,070	13,430	13,790	14,150	14,510	21.50
12.5-19.5	12,760	13,130	13,500	13,870	14,240	14,610	14,980	21.50
12.5-21.5	13,170	13,550	13,930	14,310	14,690	15,070	15,450	21.50
13-17.5	13,580	13,970	14,360	14,750	15,140	15,530	15,920	21.50
13-19.5	13,990	14,390	14,790	15,190	15,590	15,990	16,390	21.50
13-21.5	14,400	14,810	15,220	15,630	16,040	16,450	16,860	21.50
13.5-17.5	14,810	15,230	15,650	16,070	16,490	16,910	17,330	21.50
13.5-19.5	15,220	15,650	16,080	16,510	16,940	17,370	17,800	21.50
13.5-21.5	15,630	16,070	16,510	16,950	17,390	17,830	18,270	21.50

The load range letter adjacent to the load values indicates the maximum permissible load and/or inflation pressure for that load range with that particular tire.

WIDE BASE

WIDE BASE

September 9, 1971, for reply comments.¹ It states that an extension is necessary to permit completion of engineering studies it has undertaken in order to respond to the further notice.

2. In view of the Commission's expressed intent to expedite the further proceedings on the local distribution aspect so that "those authorized entrants contemplating local construction can plan and build such facilities without delay to the inauguration of the system" (paragraph 159 of the First Report and Order released on June 3, 1971, FCC 71-547), any substantial extension of filings times would require a stronger showing of good cause than that contained in MCI's motion. However, since MCI is one of the applicants most directly involved and considering the shortness of the requested extension as well as the brief period originally allowed for reply comments, it appears that a grant of this motion would serve the public interest by facilitating the compilation of a full record without unduly delaying Commission action.

3. Accordingly, it is ordered, Pursuant to § 0.303 of the Commission's rules and regulations, that the time for filing comments and/or statements of interest on the further notice of inquiry and proposed rule making is extended to August 16, 1971, and the time for filing reply comments is extended to September 9, 1971.

¹ MCI indicates that it is proposing a longer extension for reply comments at the request of A.T. & T.

TABLE VII—HIGH SPEED PERFORMANCE

Description	Load range	Test load percent of maximum labeled on tire
Recreational, boat, baggage, and special type trailer tires.	All	88
Motorcycle tires.	All	88

[FR Doc. 71-11091 Filed 8-4-71; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 21, 43, 61]

[Docket No. 18920]

DOMESTIC PUBLIC POINT-TO-POINT MICROWAVE RADIO SERVICE

Establishment of Policies and Procedures for Consideration of Applications To Provide Specialized Common Carrier Services

1. On July 28, 1971, Microwave Communications, Inc. (MCI), filed a "Motion for Extension of Time for Comments and Reply Comments" on the further notice of inquiry and proposed rule making released on June 21, 1971, in this proceeding (FCC 71-655). The present due dates for comments and reply comments are August 2, 1971, and August 16, 1971, respectively. MCI seeks an extension to August 16, 1971, for comments and to

TABLE V—PLUNGER ENERGY

Minimum static breaking energy values for recreational, boat, baggage, and special type trailer tires:

Load range	Plunger energy	
	1/2-inch diameter plunger (4.10-6 tire size only) (in.-lbs.)	3/4-inch diameter plunger (minimum value) (in.-lbs.)
A	300	600
B	300	1,200
C	300	1,800
D	300	2,400
E	300	3,000

¹ Rayon cord tires to be 60 percent of the values shown.

TABLE V-D—PLUNGER ENERGY

Minimum static breaking energy values for motorcycle tires:

Load range:	Plunger Energy, 5/8-inch diameter plunger minimum value (in.-lbs.)	
	A	B
A	150	300
B	300	600

¹ Rayon cord tires to be 60 percent of the value shown.

TABLE VI—ENDURANCE TEST SCHEDULE

Description	Load range	Test load percent of maximum load labeled on tire				Total test (miles)
		Speed (m.p.h.)		7 hours 16 hours 24 hours		
		I	II	III	III	
Not speed restricted: Normal highway service.	B, C & D	50	75	97	114	2,350
	E	40	60	88	106	1,880
	F	40	60	84	101	1,880
	G	35	55	84	101	1,645
	H, J, L & N	30	50	75	97	1,410
	B, C & D	50	75	97	114	2,350
	E, F	40	60	88	106	1,880
	G	40	60	84	101	1,880
	H, J, L & N	35	55	84	101	1,645
Speed restricted:	E, F & G	25	35	55	70	1,175
35 m.p.h.	G	35	55	84	106	1,645
55 m.p.h.	H	30	50	75	97	1,410
80 m.p.h.	J, L & N	30	50	75	97	1,410
14.00-30	E, F, G, H, J & L	30	50	75	97	1,410
14.00-30, 14.00-34	C & D	30	50	75	97	1,410
Mining and logging	E, F, G, H & J	25	35	55	70	1,175
Wide base	E, F & G	15	25	35	45	705
33 m.p.h.	All	50	75	108	137	2,700
Motorcycle tires	All	50	75	97	114	2,350
Recreational, boat, baggage, and special type trailer tires.	B, C & D	50	75	97	114	2,350
	E	40	60	88	106	1,880

¹ Four hours.
² Six hours.

Adopted: July 29, 1971.

Released: July 30, 1971.

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

[FR Doc.71-11219 Filed 8-4-71;8:51 am]

[47 CFR Part 73]

[Docket No. 19153; RM-1737]

RENEWAL OF BROADCAST LICENSES

Formulation of Rules and Policies;
Order Extending Time for Filing
Comments

1. The Commission has before it the petition filed by the Citizens Communication Center and Black Efforts for Soul in Television for extension of time to file comments in the above-captioned proceeding from August 2, 1971, to and including August 9, 1971. The request emphasizes the significant ramifications of

the proceeding upon those community groups seeking to insure that local broadcasters are responsive to the needs, problems, and interests of the communities they serve. The petitioners state that a 1-week extension will provide them with adequate relief from their current extraordinarily heavy workload to insure that the multifaceted aspects of this inquiry receive full and thoughtful consideration from two of the most active organizations devoted to citizen participation in broadcasting.

2. We are of the opinion that, considering the importance of these matters, the limited nature of the requested extension and the fact that the September 15 deadline for filing reply comments will not be affected, the petition should be granted. *Accordingly, it is hereby ordered,* That the date for filing comments in Docket No. 19153 is extended until August 9, 1971.

Adopted: July 28, 1971.

Released: July 30, 1971.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.71-11216 Filed 8-4-71;8:51 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 207]

[Reg. G]

SECURITIES CREDIT BY PERSONS
OTHER THAN BANKS, BROKERS, OR
DEALERS

Notice of Proposed Rule Making
Correction

In F.R. Doc. 71-10800 appearing at page 14030 in the issue for Thursday, July 29, 1971, the reference to "\$550,000" in the 12th line of § 207.1(a) should read "\$50,000."

¹ Commissioner Johnson absent.

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Group 489]

ARIZONA

Notice of Filing of Plats of Survey

JULY 29, 1971.

Plats of Survey of the lands described below will be officially filed in the Arizona State Office, Phoenix, Ariz., effective at 10 a.m., on September 3, 1971:

1. Gila and Salt River Meridian, Arizona:

T. 28 N., R. 21 W.,

- Sec. 3, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
- Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
- Sec. 5, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
- Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ 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. 7, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
- Secs. 8 to 15 inclusive, and sec. 17;
- Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
- Sec. 19, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
- Secs. 20 to 29, inclusive;
- Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
- Sec. 31, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
- Secs. 32 to 36, inclusive.

The areas described aggregate 21,083.90 acres of public land.

2. The lands described above range from nearly level to broken. The soil is rocky and gravelly to sandy clay loam. The vegetation consists of creosote bush, cacti, grass, and scattered Joshua trees.

3. All of the above described lands are included in Temporary Withdrawal for Classification, Executive Order 5339 dated April 25, 1930, which precludes entry under the public land laws except general mining laws and mineral leasing laws.

KENNETH F. HANSEN,
Acting Chief, Division of
Technical Services.

[FR Doc.71-11199 Filed 8-4-71; 8:48 am]

IDAHO

Notice of Filing of Plats of Survey

JULY 28, 1971.

1. Plats of survey for the following described lands, accepted June 3, 1971 and June 22, 1971, will be officially filed in the Idaho State Office, Bureau of Land Management, Boise, Idaho, effective at 10 a.m. on September 1, 1971:

BOISE MERIDIAN, IDAHO

T. 15 N., R. 18 E.,

- Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
- Secs. 12, 13, 24.

T. 16 N., R. 18 E.,

- Sec. 13, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$;
- Secs. 24, 25, 36.

T. 12 N., R. 21 E.,

- Sec. 19, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 31, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 32, all.

T. 16 N., R. 21 E.,

- Sec. 3, lots 1, 2, 3, 4, 5, 6, 7, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
- Sec. 10, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 15, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 22, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 27, all.

T. 17 N., R. 21 E.,

- Sec. 3, lots 1, 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
- Secs. 10, 15, 22, 27, 34.

T. 14 N., R. 24 E.,

- Sec. 30, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 31, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$.

The areas described aggregate 15,891.92 acres.

2. The following lands are embraced in the Challis National Forest by Executive Order No. 840 dated June 26, 1908 and Executive Order No. 7986 dated October 8, 1938, or the Salmon National Forest by Executive Order No. 841 dated June 26, 1908, and will therefore be opened to such forms of disposition as may by law be made of national forest land:

BOISE MERIDIAN, IDAHO

T. 16 N., R. 18 E.,

- Sec. 13, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
- Sec. 25, SW $\frac{1}{4}$;
- Sec. 36, all.

T. 12 N., R. 21 E.,

- Sec. 32, N $\frac{1}{2}$.

T. 16 N., R. 21 E.,

- Sec. 3, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
- Sec. 10, lots 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 15, lots 1, 2, 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 22, lots 3, 4, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 27, all.

T. 17 N., R. 21 E.,

- Secs. 10, 15, 22;
- Sec. 27, E $\frac{1}{2}$, NW $\frac{1}{4}$;
- Sec. 34, E $\frac{1}{2}$.

T. 14 N., R. 24 E.,

- Sec. 30, E $\frac{1}{2}$.

Containing 7,054.83 acres.

3. The remaining lands not affected by paragraph 2 above are included in the Custer County Multiple Use Classification I-2834, or the Lemhi Multiple Use Classification I-1639 and will therefore be opened only to such forms of disposition as are allowed under the provisions of the multiple use classifications on the effective date of the filing of these plats.

4. The lands have been subject to the operation of the U.S. mining laws and mineral leasing laws at all times.

Inquiries concerning the lands should be addressed to the Idaho State Office, Bureau of Land Management, 550 West Fort Street, Boise, ID 83702.

EUGENE E. BABIN,
Acting Chief, Branch of
Records, Boise, Idaho.

[FR Doc.71-11178 Filed 8-4-71; 8:46 am]

[Serial No. Idaho 4422]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

JULY 28, 1971.

The Bureau of Reclamation has filed an application, Serial No. I-4422, for the withdrawal of the lands described below from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for public purposes as additional upstream areas needed for the proposed Grindstone Butte Dam and Reservoir, Bruneau Division, Southwest Idaho Water Development Project on Deadman Creek.

For a period of 30 days from the date of publication of this notice all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 334 Federal Building, 550 West Fort Street, Boise, ID 83702.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Reclamation.

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

T. 8 S., R. 11 E.,

- Sec. 21, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

The areas described aggregate 560 acres in Owyhee County.

DONALD B. SNYDERS,
*Acting Chief, Division of
Technical Services.*

[FR Doc.71-11179 Filed 8-4-71;8:46 am]

MONTANA

Order Providing for Opening of Public Lands

JULY 29, 1971.

1. The exchanges of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g) as amended, the following described lands have been conveyed to the United States:

PRINCIPAL MERIDIAN, MONTANA

T. 37 N., R. 24 E.,
Sec. 25, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.

The area described contains 200 acres in Blaine County.

T. 26 N., R. 38 E.,
Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NE $\frac{1}{4}$.

T. 26 N., R. 39 E.,
Sec. 30, lots 1, 2, and 3, E $\frac{1}{2}$ NW $\frac{1}{4}$.

The area described contains 313.74 acres in Valley County.

2. The above described grazing lands have been acquired to block up Federal land to further Federal programs. Public lands in this general area have been classified for multiple use management and retention in Federal ownership and are not open to application under agricultural land laws (43 U.S.C. Chapters 7 and 9; 25 U.S.C. 334) or to public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171).

3. The mineral rights in the lands were not exchanged and their status is not affected by this order.

4. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law the lands will at 10 a.m. on September 3, 1971, be open to application, petition, and selection under the public land laws. All valid applications received at or prior to September 3, 1971, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

5. Inquiries concerning the lands should be addressed to the Bureau of Land Management, 316 North 26th Street, Billings, MT 59101.

JAMES A. MINNIE,
*Acting Chief, Division of
Technical Services.*

[FR Doc.71-11180 Filed 8-4-71;8:46 am]

CHIEF, BRANCH OF RECORDS AND DATA MANAGEMENT, DIVISION OF MANAGEMENT SERVICES, ARIZONA STATE OFFICE

Redelegation of Authority

JULY 22, 1971.

1. Pursuant to the authority contained in section 1.1 of BLM Order No. 701 (29

F.R. No. 147, July 29, 1964) as amended, authority is hereby redelegated to the Chief, Branch of Records and Data Management to take action in all matters listed in sections 2.2(c), 2.3(c), and 2.4(a) (4) of the above-cited order.

2. The Chief, Branch of Records and Data Management, may, by written order, designate any qualified employee of the Branch to perform the functions of his position in his absence. Such order will be approved by the State Director.

3. Effective date: This redelegation will become effective August 1, 1971.

JOE T. FALLINI,
State Director.

Approved: July 29, 1971.

GEORGE L. TURCOTT,
Acting Director.

[FR Doc.71-11198 Filed 8-4-71;8:48 am]

CHIEF, BRANCH OF RECORDS AND DATA MANAGEMENT, DIVISION OF MANAGEMENT SERVICES OREGON STATE OFFICE

Redelegation of Authority

JULY 21, 1971.

1. Pursuant to the authority contained in section 1.1 of BLM Order No. 701 (29 F.R. No. 147, July 29, 1964) as amended, authority is hereby redelegated to the Chief, Branch of Records and Data Management to take action in all matters listed in sections 2.2(c) and 2.4(a) (4) of the above-cited order.

2. The Chief, Branch of Records and Data Management, may, by written order, designate any qualified employee of the Branch to perform the functions of his position in his absence. Such order will be approved by the State Director.

3. Effective date: This redelegation will become effective August 2, 1971, and it supersedes the redelegation of authority of June 15, 1971 (36 F.R. 12046, June 24, 1971).

ARCHIE D. CRAFT,
State Director.

Approved:

BURTON SILCOCK,
Director.

[FR Doc.71-11197 Filed 8-4-71;8:47 am]

CHIEF, DIVISION OF ADMINISTRATION/ADMINISTRATIVE OFFICER, MONTROSE, COLORADO

Delegation of Authority Regarding Procurement and Contracting

JULY 13, 1971.

A. Pursuant to delegation of authority contained in Bureau Manual 1510.03B2d, the Chief, Division of Administration/Administrative Officer, Montrose District, Colorado, is authorized:

1. Open Market Purchasing: May enter into contracts for supplies and services, excluding capitalized and major noncapitalized equipment, not to exceed \$2,500 and for construction not to exceed

\$2,000: *Provided*, That the requirements are not available from established sources.

B. This authority may not be further redelegated.

ROBERT E. ANDERSON,
District Manager.

[FR Doc.71-11200 Filed 8-4-71;8:48 am]

Geological Survey

FEDERAL LEASES IN SANTA BARBARA CHANNEL OFF CALIFORNIA

Proposal To Continue Exploratory Drilling; Availability of Final Environmental Impact Statement

Notice is hereby given of the public availability of a final report dated July 23, 1971, which discusses the potential environmental impact of the proposal to continue exploratory drilling on Federal oil and gas leases on the Outer Continental Shelf in the Santa Barbara Channel off the coast of California. A preliminary draft on this same subject was released on February 23, 1971.

The Federal program for drilling exploratory wells in the channel began with the competitive leasing of a tract in January 1967. The exploratory drilling program was subsequently applied to another 71 leases that were also acquired by private entities by competitive bidding. Presently there are 70 existing Federal leases in the channel.

This report pertains to any future exploratory drilling that may take place on existing Federal leases in the channel.

With consideration of the comments received on the draft report of February 23, this final statement is the document by which the ultimate decision and assessment of the environmental impact will be based.

Copies of the final document with attached colored map of the Santa Barbara Channel may be purchased from the National Technical Information Service, Department of Commerce, Washington, D.C., for \$3. A microfiche copy can be obtained for \$0.95. Order by number USDI EIS 71 024. Copies of the final statement can be examined at any of the following locations:

U.S. Geological Survey, Map Information Office, Room 1038, GSA Building, Washington, D.C. 20242.

Geological Survey Public Inquiries Office, Room 1012 Federal Building, Denver, Colo. 80202.

Geological Survey Public Inquiries Office, 7638 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

Geological Survey District Office, 214 Post Office Building, 836 Anacapa Street, Santa Barbara, CA 93101.

Geological Survey Public Inquiries Office, Room 504 Customhouse, 555 Battery Street, San Francisco, CA 94111.

ROGERS C. B. MORTON,
Secretary.

JULY 30, 1971.

[FR Doc.71-11209 Filed 8-4-71;8:49 am]

Office of the Secretary
**UNIFORM RELOCATION ASSISTANCE
 AND REAL PROPERTY ACQUISITION
 POLICIES ACT OF 1970**

**Amendment to Interim Regulations
 and Procedures for Implementation**

JULY 30, 1971.

The Interim regulations and procedures of this Department for implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894, were published in the FEDERAL REGISTER on April 16, 1971, 36 F.R. 7265. These regulations were subsequently amended to clarify the appeals procedures found in section 6D(1), which amendment was published in the FEDERAL REGISTER on June 18, 1971, 36 F.R. 11753.

Section 6D(1) is hereby further amended as follows:

The citation to 43 CFR Subpart G should be changed to read "43 CFR 4, Subpart G", in two places.

WARREN F. BRECHT,
 Deputy Assistant Secretary
 of the Interior.

[FR Doc. 71-11210 Filed 8-4-71; 8:49 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 1]

SALES OF CERTAIN COMMODITIES

Monthly Sales List

The CCC Monthly Sales List for the fiscal year ending June 30, 1972, published in 36 F.R. 13044, is amended as follows:

1. Section 36 entitled "Cotton, Upland—Unrestricted Use Sales", is revised to read as follows:

Competitive offers under the terms and conditions of Announcement NO-C-33 (Disposition of Upland Cotton—For Unrestricted Use and Under Barter Contracts). Cotton may be acquired at the highest price offered, but not less than the higher of (1) the market price as determined by CCC, or (2) a minimum price determined by CCC, which will be based on the 1971 loan rate for Middling 1-inch cotton (micronaire 3.5-4.9) at average location with adjustments for other qualities based on current market differentials, plus markups for the month in which the sale is made. In no event will the price for any quality of cotton be less than 120 points (1.2 cents) per pound above the loan rate for such quality of cotton. Loan differentials for location will be used.

MONTHLY MARKUPS—POINTS PER POUND

1971		1972	
August	245	January	275
September	245	February	290
October	245	March	305
November	245	April	320
December	260	May	335
		June	335
		July	335

2. Section 37 entitled "Cotton, Upland—Export Sale—CCC Disposals for Barter", is revised to read as follows:

Competitive offers under the terms and conditions of Announcement CN-EX-30 (Acquisition of Upland Cotton Under Barter Contracts) and NO-C-33, at the prices described in the preceding section.

3. Section 38 entitled "Cotton, Extra Long Staple—Unrestricted Use Sales", is revised to read as follows:

Competitive offers under the terms and conditions of Announcement NO-C-6 (Revision 2), as amended. Extra long staple cotton may be acquired at the highest price offered, but not less than the higher of (1) the market price as determined by CCC, or (2) 115 percent of the current loan rate for such cotton plus reasonable carrying charges for the month in which the sale is made.

MONTHLY CARRYING CHARGES—POINTS PER POUND

1971		1972	
August	45	January	75
September	45	February	90
October	45	March	105
November	45	April	120
December	60	May	135
		June	135
		July	135

4. The second sentence of Section 25 entitled "Rice, Rough—Unrestricted Use Sales—F.O.B. Warehouse" is revised to read as follows:

The formula price for August 1971, is the 1971 loan rate plus 5 percent plus 8 cents per hundredweight.

5. The provisions of section 26 entitled "Rice, Rough—Export as Milled or Brown" are deleted.

Effective date: 2:30 p.m., July 30, 1971, for rice and August 2, 1971, for cotton.

Signed at Washington, D.C., on July 30, 1971.

CARROLL G. BRUNTHAVER,
 Acting Executive Vice President,
 Commodity Credit Corporation.

[FR Doc. 71-11230 Filed 8-4-71; 8:50 am]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case No. 423]

D. K. CHAN AND HERTZ RESEARCH LABORATORY

Order Denying Export Privileges

In the matter of D. K. Chan, also known as Damon K. Chan, and Hertz Research Laboratory, Sincere Insurance Building, 17th Floor, West Wing, 4 Hennessy Road, Hong Kong, B.C.C., respondent.

The respondents D. K. Chan, also known as Damon K. Chan, and Hertz Research Laboratory, were charged by the Director, Investigations Division, Office of Export Control with violations of the regulations under the Export Con-

trol Act of 1949 and Export Administration Act of 1969.¹ The charging letter dated May 14, 1971, was duly served on respondents and no reply has been received. Pursuant to § 388.4 of the Export Control Regulations the respondents were held in default. In accordance with the usual practice the case was referred to the Compliance Commissioner. He held an informal hearing on July 13, 1971, at which time evidence in support of the charging letter was presented on behalf of the Investigations Division.

On February 19, 1971, effective February 25, 1971 (36 F.R. 3476), an order denying export privileges for an indefinite period was issued against these respondents. Said order was superseded by an order issued on May 4, 1971 (36 F.R. 8819), temporarily denying export privileges, which was to be effective until the completion of administrative compliance proceedings. The temporary order is still in effect.

The Compliance Commissioner considered the evidence that was presented in support of the charges and has submitted to the undersigned a report which summarizes the essential evidence, considers the various charges, and which includes findings of fact and conclusions. The Compliance Commissioner recommended sanctions that should be imposed.

After considering the record in the case, I adopt the findings of fact made by the Compliance Commissioner. These findings were applicable at the time the transactions in question took place and are as follows:

FINDINGS OF FACT

1. The respondent Hertz Research Laboratory was established in December 1968 in Hong Kong, B.C.C., as a dealer in scientific and electronic equipment and components. The registered owner of the firm was Mrs. Eckila S. Chan. Mrs. Chan's husband D. (for Damon) K. Chan, was manager of the firm. In the transactions hereinafter described the respondent Chan acted on behalf of Hertz Research Laboratory.

2. Commencing in April 1969 and through February 1970 Chan placed purchase orders with three different suppliers in the United States for six different types of strategic electronic equipment used for testing purposes. The total value of said equipment was approximately \$17,000.

3. Each of the pieces of equipment in question required a validated license

¹ The Export Control Act of 1949 was succeeded by the Export Administration Act of 1969, approved Dec. 30, 1969, 50 U.S.C. App. 2401-2413. Section 2412(b) of the new Act provides, "All outstanding delegations, rules, regulations, orders, licenses, or other forms of administrative action under the Export Control Act of 1949 . . . shall, until amended or revoked, remain in full force and effect, the same as if promulgated under this Act". The violations in question occurred in 1969 and 1970 and the same regulations are applicable.

for exportation from the United States to Hong Kong. The U.S. exporters in each instance filed an application with the Office of Export Control for a license to permit the exportation. With respect to the commodities to be exported the respondent Chan furnished to the U.S. suppliers an Import License issued by the Hong Kong Government in which he declared that the commodities to be imported were for local consumption. The Import License when issued bore the statement that reexport was not permitted except under special license and subject, in addition, to concurrence of the Government of the supplying country concerned. The U.S. exporters submitted said Import Licenses in support of their applications for export licenses.

4. The respondent Chan knew that the Import Certificates he furnished to the U.S. suppliers would be submitted by them in support of their applications for export licenses and his declarations in said Import License were representations and statements indirectly to the Office of Export Control through a foreign government agency.

5. At the time that Chan made the aforesaid declarations he knew and had reason to know that the commodities that were being imported into Hong Kong under said Import Licenses were not for consumption in Hong Kong but were intended to be reexported. The declarations by Chan on the Import Licenses were false and misleading and Chan concealed material facts from the Office of Export Control.

6. Based in part on the Import Licenses which had been obtained through Chan's false and misleading declarations, export licenses to export said commodities were issued by the Office of Export Control and the commodities were exported to Hong Kong. The respondents disposed of said commodities contrary to the provisions of the Export Control Regulations.

7. On September 10, 1970, Chan placed an order with a U.S. supplier for strategic recording equipment valued at approximately \$26,500. Accompanying said order was a Hong Kong Import License in which a firm in Hong Kong was named as ultimate consignee. The said firm in Hong Kong was not the ultimate consignee. The said firm in Hong Kong was not the ultimate consignee but had been solicited by Chan to pose as the customer. Chan was attempting to obtain the equipment for reexportation to an unauthorized destination.

8. The U.S. supplier filed application for a license to export said recording equipment to Hertz Research Laboratory in Hong Kong as intermediate consignee. Before the license was issued Chan's illegal purpose was discovered and the application for license was rejected.

9. In connection with the transactions described in Findings 2 through 6, Chan acted in concert with other parties in ordering, buying, and receiving the commodities therein described knowing that they were intended to be reexported to unauthorized destinations.

10. In connection with the transaction described in Finding 7 Chan acted in

concert with other parties in ordering the commodities therein described knowing that they were intended to be reexported to an unauthorized destination.

Based on the foregoing I have concluded that the respondents violated §§ 387.3 and 387.4 of the Export Control Regulations in that they solicited and acted in concert with other parties in buying and disposing of U.S.-origin commodities with knowledge that it was intended that the commodities would be reexported to unauthorized destinations in violation of said regulations. I have further concluded that the respondents violated section 387.5 of said regulations in that they made false and misleading statements directly to the Office of Export Control and concealed material facts from the Office of Export Control for the purpose of effecting exports from the United States.

Now, after considering the record in the case and the report and recommendation of the Compliance Commissioner and being of the opinion that his recommendation as to the sanction that should be imposed is fair and just and calculated to achieve effective enforcement of the law: *It is hereby ordered:*

I. This order is effective forthwith and supersedes the temporary denial order issued against the above respondents on May 4, 1971 (36 F.R. 8819), but the terms and restrictions of said temporary denial order are continued in full force and effect.

II. Except as qualified in Paragraph IV hereof, the respondents for the period of 5 years are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transactions involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Control Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their successors, representatives, agents, and employees, and also to any person, firm, corporation, or other business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith. This order is also applicable

to Eckila S. Chan who was registered owner of the respondent Hertz Research Laboratory.

IV. Three years after the effective date of this order the respondents may apply to have the effective denial of their export privileges held in abeyance while they remain on probation. Such applications as may be filed by said respondents shall be supported by evidence showing their compliance with the terms of this order and such disclosure of their import and export transactions as may be necessary to determine their compliance with this order. Such applications will be considered on their merits and in the light of conditions and policies existing at that time. The respondents' export privileges may be restored under such terms and conditions as appear to be appropriate.

V. During the time when the respondents or other parties within the scope of this order are prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondents or other parties denied export privileges within the scope of this order, or whereby the respondents or such other parties may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondents or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

Dated: July 27, 1971.

RAUER H. MEYER,
Director,
Office of Export Control.

[FR Doc. 71-10548 Filed 8-4-71; 8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-395]

SOUTH CAROLINA ELECTRIC & GAS CO.

Notice of Receipt of Application for Construction Permit and Facility License; Time for Submission of Views on Antitrust Matters

South Carolina Electric & Gas Co. 328 Main Street, Post Office Box 764, Colum-

bia SC 29202, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application dated June 30, 1971, for authorization to construct and operate a pressurized water nuclear reactor designated as Virgil C. Summer Nuclear Station, Unit 1, on the applicant's site in Fairfield County, S.C.

The site is located immediately north of Parr, S.C., and is adjacent to a man-made lake created by placing a series of dams across Frees Creek, a tributary of the Broad River. The lake is located east of the Broad River and west of South Carolina State Highway 215, about 26 miles north of Columbia, in western Fairfield County, S.C.

The proposed nuclear power station will consist of a pressurized water nuclear reactor, which is designed for a power output of 2,785 megawatts thermal (MWT), with an equivalent station net electrical output of approximately 900 megawatts electrical (MWE).

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after July 22, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and a copy has been sent to the Fairfield County Library, Vanderhorst Street, Winnsboro, SC 29180, Miss Jean Metelli, Librarian.

Dated at Bethesda, Md., this 15th day of July 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[FR Doc. 71-10322 Filed 7-21-71; 8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 20650; Order 71-8-5]

AIR TRAFFIC CONFERENCE OF AMERICA

Order Deferring Action on Agreements

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of August 1971.

The air carrier members of the Air Traffic Conference of America (ATC) have filed with the Board under section 412 of the Federal Aviation Act of 1958, as amended, agreements (hereinafter denominated as the Financial Resolution) proposing significant changes in the

business relationships between such carriers and their sales agents.¹

The principal provisions of the Financial Resolution are as follows:

(1) Deletes the requirement that applicants and existing agents procure and maintain a bond for the benefit of ATC members;

(2) Establishes, in lieu of bonding, credit evaluation procedures to be administered by ATC as follows: (a) each applicant submits to ATC prescribed financial and credit data;² (b) such data is evaluated by the ATC staff; if deemed satisfactory, the applicant is approved from a financial standpoint; (c) if the evaluation does not support such an approval, the application is referred by the Executive Secretary of ATC to the Credit Review Subcommittee of the ATC Agency Committee (NOTE: When the financial statement of an applicant (or of an approved agent) fails to reflect a cash balance of \$10,000 or a tangible net worth of at least \$15,000 the matter is automatically referred to the Subcommittee for review);³ and (d) if the Subcommittee's

¹ The initial agreement (Agreement CAB 20727) was filed with the Board on Dec. 23, 1968; an amendment thereto (Agreement CAB 20727-A1) was filed on July 24, 1970. The initial resolution contemplated (a) the utilization by ATC of specific credit standards in assessing the financial qualifications of approved and prospective agents, and (b) the substitution of a Joint Indemnity Fund (Joint Fund) for the present ATC bonding system. The amendment removed the Joint Fund provisions but retained the other features of the initial resolution.

ATC resolutions amended by the Financial Resolution are the following: Resolution 80.10 (Agency Resolution); Resolution 80.15 (ATC Sales Agency Agreement); Resolution 80.1 (Standard Agents' Ticket and Area Settlement Plan); Resolution 80.35 (The Initial Agency Fee Resolution); Resolution 80.40 (The Annual Agency Fee Resolution); Resolution 80.72 (Sharing Financial Losses Which Occur in Connection With the ATA Administration of the Plan); and Resolution 80.85 (The Tariff Subscription by Agents Resolution). In addition, Resolution 80.71 (The Sharing of Losses on Standard Agent's Ticket Agreement) is repealed.

² In the case of an established business, this would include a complete financial statement—including a notarized balance sheet and a profit and loss statement. The ATC staff would also secure a Dun and Bradstreet report and/or retail credit reports on individuals, and a bank reference letter.

³ The ATC staff would employ a numerical rating system to evaluate an agent's credit. A copy of the "ATC Sales Agency Credit Evaluation Worksheet" is attached as Appendix A (filed as part of the original document). If the ATC rating results in a total score of 31 or more, the applicant is approved from a financial standpoint. If the score is 30 or less, the matter is referred to the Subcommittee for consideration.

findings are unfavorable the matter must be referred to the full ATC Agency Committee, which is empowered to approve or disapprove the application;⁴

(3) Provides for investigation at least annually by the Executive Secretary of ATC, of the financial condition and credit standing of each agent;

(4) Increases application fees; e.g. for each new agent from the present \$50 to \$500, and for an additional agency location from the present \$30 to \$250;⁵

(5) Increases the annual agency fees for main and branch offices from the present \$20 and \$10, respectively, to \$75 and \$50, respectively, and removes the current maximum fee of \$300 per agent; and

(6) Increases from the present \$500 to \$2,000 the annual fee payable by non-ATC carriers who participate in the ATC Area Settlement Plan.

The foregoing credit review procedures apply equally to agent-applicants and to approved agents.

The intended effective date for the Financial Resolution is January 1, 1972, subject to prior Board approval.

⁴ The question of whether a person's credit standing is satisfactory is decided (1) by the Subcommittee on the basis of a majority vote of all of the Subcommittee's members, and (2) if reviewed by the ATC Agency Committee, by that Committee on the basis of a two-thirds vote of the members present at a meeting. The resolution states that the credit Review Subcommittee shall meet at least twice annually to review credit matters referred to it by the Executive Secretary of ATC, and that the Agency Committee shall meet no more frequently than twice each year to act on agency applications. The Subcommittee would be comprised of from three to five of the top credit executives of the airlines.

It is not clear what period of time would be required by the carriers to process applications under the various circumstances that might obtain.

⁵ The total fee schedule is as follows:

	Present	Propose	Nonrefundable
New agent.....	\$50	\$500	\$100
Additional location.....	30	250	100
Transfer.....	50	250	100
New location.....	30	100	50
Change of name.....		25	

If an application is disapproved, the fee is refundable except to the extent shown above. Based upon 1969 application volumes, ATC estimates that the proposed fees above would have resulted in collections of \$422,350 versus expenses of \$439,641.

The Air Traffic Conference, in explanation of the credit standards, submits "that no one has more interest, knowledge from experience, or has more at stake than the airlines themselves in matters involving the credit evaluation of travel agents." It is further argued by ATC that establishing credit standards is a difficult task because it is impossible to have them completely objective and free of the need for some judgment. Thus, under the proposed program, ATC retains some flexibility "to make individual personal judgments where experience dictates," e.g., in assigning values to the standards enumerated in the Credit Evaluation Worksheet. ATC also states that the proposed new screening process is intended to protect both the carriers and conscientious travel agents, and that although the ATC bonding program has considerable merit in many respects from the viewpoint of the carriers, it has not completely achieved one of its original intentions—the continuing assurance of an agent's credit stability—because of inadequate standards applied by many sureties in approving individual bonds. Thus, the carriers believe that the credit stability of agents can best be assured, and defaults reduced, through the carriers' own program of credit standards.*

The proposed application fee schedule, according to ATC, relates to the cost of administering the agency program. ATC states "that the fees are unrelated to default experience and that the revenue derived from the fees will not be used in any way to defray carrier losses from agency defaults."

Comments concerning the Financial Resolution (Agreements CAB 20727 and 20727-A1) have been received from the American Society of Travel Agents (ASTA), the Association of Bank Travel Bureaus, Inc. (ABTB), the Association of Retail Travel Agents (ARTA), Victor O. Schinnerer and Co., Inc. (Schinnerer), underwriting manager for the Insurance Company of North America, and various individual travel agencies.

ASTA supports the proposal and reiterates its earlier opposition to the current ATC bonding program because of the high premium costs in the face of relatively few defaults.¹ In ASTA's view, the more stringent credit standards proposed as well as the provision for periodic review of existing agents, are designed to minimize potential losses resulting from travel agency defaults. ASTA further asserts that the formula for agency fees set forth in the resolution, permitting the offsetting of administrative expenses in connection with the agency

program, appears to be an equitable method of assuring that the costs to agents bears a direct relationship to benefits to be realized by them. ASTA therefore concludes: "Although the agreement does impose rather stringent requirements on both applicants for approval and existing agents, these requirements may be justified if the Board finds now and upon timely review that they are necessary to assure the continuance of a financially sound travel agency industry, to minimize potential financial loss for carriers and permit the elimination of the current bonding program."²

ARTA, in its comments filed prior to amendment of the Resolution (footnote 1, supra), objects to retention of the present bonding system and to the proposed evaluation system. The basic purpose of the bonding program, according to ARTA, was not to reimburse the carriers for losses from defaulting agents, but to provide an impartial procedure for evaluating agents' fiscal responsibility in lieu of the subjective credit standards previously applied by the carriers. ARTA suggests that an independent study be conducted to determine appropriate credit evaluation standards. Coupled with such a study, ARTA believes there should be a system utilizing a professional independent credit analyst (selected with the consent of the agents themselves) and equal representation of agents and carriers on any review committee that considers cases not approved by the credit analyst. Also, such committee should be headed by an impartial chairman from outside the industry. ARTA also contends that the proposed increases in application fees are unjustified and unsupported, and will result in a transfer from the air carriers to the agents of the cost of running the ATC agency program. ARTA further alleges that the proposed credit evaluation system is unduly subjective, biased in favor of existing agents and generally lends itself to arbitrary results.

Schinnerer requests that the proposal be disapproved and the present bonding system continued. It argues that the present bonding program has achieved objectivity in evaluating an agent's financial responsibility, relieves the carriers of the administrative burden of this responsibility, and, at a moderate cost, protects the carriers from excessive

¹ Prior to amendment of the Resolution, ASTA filed a joint statement with ABTB supporting disapproval of the Financial Resolution as set forth initially by Agreement CAB 20727 principally because of the provisions for the Joint Fund, since deleted. However, at that time both organizations supported the proposal insofar as it would establish more stringent financial responsibility criteria for new applicants and existing agencies.

² This position was reiterated in letters to the Board from ASTA, dated Oct. 23, 1970, and Dec. 2, 1970.

agency defaults. Schinnerer asserts that the principal purpose of the bonding program was to substitute objective for subjective criteria, and that such purpose is better served by the present bonding program. In this connection, Schinnerer asserts that the credit criteria proposed by ATC are too broad and subjective, e.g. the lack of a definition for the term "reasonable success" as used in the Credit Evaluation Work Sheet. Schinnerer also notes that the total (gross) travel agent defaults represent on an average .0608 percent of travel agency sales, that by comparison air carrier reserves for bad debts for the period 1963 through 1970 averaged .2394 percent of revenues. It further points out that agents will pay the cost of the program, and more, through fees from applicants, etc.

All but one of the individual agents who filed comments did so before the resolution was amended to delete the Joint Indemnity Fund. Two agents approved the Resolution as then drafted; the others opposed it. The one agent (Norberg Travel Service) who submitted a statement concerning the amended resolution objects to the proposal and asks the Board to reject it.

Upon consideration of the foregoing, the Board has decided to defer action temporarily on the matter and allow a further opportunity for interested persons to file initial or additional comments. Such a course of action appears desirable because of the significance of the proposal, the fact that a major change in the Resolution was made after certain comments were filed, and the general inadequacies of the record.

In reviewing this matter, it is pertinent to recall certain earlier events. ATC formerly required all applicants to present evidence of a satisfactory credit standing and the ability to maintain either a trust account or a bond in the amount of \$10,000. However, on November 1, 1960, the Board issued Order E-15977 (Docket 8300 et al. the ATC Agency Resolution Investigation) stating its belief that the ATC criteria then used to judge travel agent qualifications (including the term satisfactory credit standing) were so broad and indefinite as to be susceptible to arbitrary and non-uniform application. Accordingly, the Board directed ATC to show cause why continued approval of the Agency Resolution should not be conditioned upon the submission by ATC of objective definitions of various terms including satisfactory credit standing.

By Order E-17968, dated January 30, 1962, the Board approved various

*An explanation of the resolution is contained in a brochure prepared under the direction of the ATC Agency Committee and submitted with Agreement CAB 20727, and in a letter to the Board from ATC, dated Feb. 22, 1971.

amendments to the Agency Resolution which were submitted by the members of ATC in response to Order E-15977. Among other things, the amendments provided for the substitution of a mandatory bond requirement in minimum and maximum amounts of \$10,000 and \$50,000, respectively, in lieu of the requirements to maintain a trust account and to submit evidence of a satisfactory credit standing.⁹ In granting its approval, the Board noted that the bonding provision eliminated the need for a showing of a satisfactory credit standing, and stated again that it believed the use of objective standards in the agency program was desirable. Thus, the Board approved a program which would in effect provide for an objective credit analysis by third persons—various surety companies.

Subsequently on April 24, 1964, the Board approved the ATC Area Settlement Plan.¹⁰ In doing so, the Board noted that under the Plan the risk of loss to carriers from agency defaults would be reduced by 35 percent but that no adjustment had been made in the amount of the required bond. Thereafter, on June 24, 1965, by Order E-22358, the Board approved an amendment to the Area Settlement Plan providing for a 10 percent or maximum of \$2,500 reduction in the bond requirement for ATC agents who had been on the agency list for 1 year. However, the Board indicated that an additional reduction in the amount of the bond appeared appropriate. Further study of the agency program by various ATC committees culminated in adoption of the Financial Resolution.

The Resolution presents a number of issues which warrant the further appraisal, or reappraisal, as the case may be, of both the agents and the carriers. Perhaps foremost is the question of whether ATC should be so intimately and exclusively involved in passing on the financial credentials of persons desiring to enter the travel agency business, as well as for the more than 7,000 approved agents as their operations undergo the annual scrutiny required by the resolution. Most certainly the carriers have a substantial stake in the persons they appoint as their agents, particularly as agents are playing an ever increasing role in the sale of domestic air transportation. The carriers, therefore, are not without merit in claiming that they have a significant interest and knowledge in matters involving the

credit evaluation of agents. On the other hand, and viewing the matter from a long-term perspective, it is possible that the carriers' interest would be best served by having the financial portion of the overall agency evaluation conducted on an independent and impartial basis. In short, is the credit evaluation proposal defensible as being as objective as one can make it? Are there cogent reasons which can be advanced in rebuttal of a potential claim that the credit procedures are arbitrary or will be used to restrict unduly admittance into the travel agency field? Again, is there substance in the argument advanced by some that if objective standards are not possible, then objective procedures administered by an outside party are needed?

There has been conjecture in certain comments received as to why the present bonding system was adopted and what it was designed to accomplish. Whatever the reasons may have been on the part of all concerned, and they may have been different, it seems more important now to define objectives clearly in today's climate. Thus, as we understand it, the carriers' principal goals in adopting the instant Financial Resolution were twofold: (1) To provide a mechanism for examining the financial health of applicant-agents and approved agents from the standpoint of determining whether a person either should be approved initially as an agent or his appointment as one continued, and (2) thereby to protect carrier funds in the hands of approved agents to a greater degree than is possible under the present bonding system.¹¹ These objectives, if correctly stated, obviously are related, but is not clear that the procedures for the attainment of each necessarily need be identical as is contemplated by the instant resolution. In other words, would a different combination of procedures provide a more objective and effective approach?¹² Then, too, there is the basic question of whether each of the goals is valid—in terms of the product (resolution) produced to achieve the desired result.

One advantage of the Financial Resolution from the agents' standpoint is that it eliminates the bonding program, a move long championed by ASTA. This factor and the resultant elimination of the cost of bonding must, of course, be weighed by each agent against the substitute procedures which are proposed, including the fee schedule. Certainly answers are needed to the questions raised by Schinnerer and others regarding the credit evaluation procedures, including

⁹ Agents' defaults for the past 5 years is set forth in Appendix B, which is filed as part of the original document.

¹⁰ For example, what are the implications here of the joint carrier/agent project recently undertaken to develop mandatory requirements aimed at improving an agents' managerial and technical competence?

the credit evaluation worksheet.¹³ Also, a more detailed justification is needed of the basis of all proposed increases in fees.

The Board hopes that persons filing comments will address themselves not only to the details of the instant resolution but to the broader issues as well. We would also hope that those who may oppose the resolution in whole or in part would offer constructive alternative proposals.

Accordingly, it is ordered, That:

1. Action on Agreement CAB 20727, as amended by Agreement CAB 20727-A1, be and it hereby is deferred;

2. Interested persons be and they hereby are afforded a period of 30 days from the date of this order within which to file comments on the matters set forth in this order;

3. Rebuttal comments may be filed within 21 days after the due date for initial comments but only by those persons filing initial comments;

4. This order shall be served upon the Air Traffic Conference of America; the American Society of Travel Agents; the Association of Bank Travel Bureaus, Inc.; the Association of Retail Travel Agents; Victor O. Schinnerer and Co., Inc.; and the Department of Justice;

5. Comments filed pursuant to ordering paragraph 2 above shall be served on all persons named in ordering paragraph 4 above; and

6. Rebuttal comments filed pursuant to ordering paragraph 3 above shall be served upon all persons filing initial comments under ordering paragraph 2 above.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc. 71-11238 Filed 8-4-71; 8:51 am]

[Docket No. 23676]

COMPANIA MEXICANA DE AVIACION, S.A. (CMA)

Mexico City/Ciudad Juarez-Denver Authority; Notice of Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on August 16, 1971, at 2 p.m., local time, in room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Joseph L. Fitzmaurice.

¹¹ The Board also believes that detailed information is needed with respect to (a) the technical basis for development of the numerical rating system utilized in the Credit Evaluation Worksheet; (b) the method used for selection of the specific number of points allocated to each section of the worksheet; (c) the reason for selection of 31 points as the point at which an applicant or agent can be approved; and (d) the specific procedures to be followed by ATC in validating the numerical analysis utilized in the worksheet.

⁹ Additional features of the Agency Resolution amendments were the following: (1) substitution of the Executive Secretary for the Agency Committee as the reviewing authority for most applications, and thus the processing of most applicants in 45 days, and (2) the substitution of specific personal experience qualifications for the general standards concerning "qualified personnel" and "ability to sell."

¹⁰ Order E-20741. Under the Plan, the agents remit three times a month to area banks, rather than as before directly to individual carriers twice a month.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before August 11, 1971.

Dated at Washington, D.C., July 30, 1971.

[SEAL] RALPH L. WISER,
Acting Chief Examiner,
[FR Doc. 71-11239 Filed 8-4-71; 8:51 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report 555]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

AUGUST 2, 1971.

Pursuant to §§ 1.227(b) (3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations and other requirements.

² The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign, and nature of application

- 278-C2-P-72—Clarksdale Mobile Telephone, Inc. (New), C.P. for a new two-way station to be located at 1107 Desota Avenue, Clarksdale, MS, to operate on 152.18 MHz.
- 279-C2-MP-72—Telephone Answering Service of Hyannis (KRS669), Modification of C.P. to replace the transmitter operating on 152.18 MHz located near Union Street and Route No. 6, Yarmouth, MA.
- 299-C2-P-72—Florida Radio Phone (KIA958), C.P. to add frequency 454.275 MHz at station located 100 Southeast Third Avenue, Fort Lauderdale, FL.
- 300-C2-P-72—AAA Answerphone, Inc., Jackson (KKV692), C.P. to add frequency 152.09 MHz at station located at the Deposit Guaranty Bank Building, corner of Capital and Lamar Streets, Jackson, MS.
- 301-C2-AL-72—Haywood & Stevens, Consent to assignment of license from James H. Stevens and David H. Haywood, doing business as Haywood & Stevens, Assignor, to James H. Stevens, doing business as Stevens Radio Communications, Assignee Station KLP491 Ocala, Fla.
- 302-C2-P-72—Central Mobile Radio Phone Service (KQA770), C.P. for additional facilities to operate on 152.12 MHz at a new site described as location No. 2: 3165 Olentangy River Road, Columbus, OH.
- 305-C2-P-72—Tel-Illinois, Inc. (New), C.P. for a new two-way station to be located at Alton Box Board Building, Alton, Ill., to operate on 454.325 MHz.
- 311-C2-P-72—Pat's Mobil Phone, Inc. (New), C.P. for a new two-way station to be located at 1.5 miles west Public Square, Highway No. 20 and Lick Creek Road, Linden, TN, to operate on frequency 152.09 MHz.
- 312-C2-MP-72—John W. Bennett (KRS671), Modification of C.P. to relocate the two-way facilities operating on 152.21 MHz to 1020 South Washington, Owosso, MI.
- 313-C2-P-72—Wisconsin Telephone Co. (KSA807), C.P. to change the antenna system and relocate facilities operating on 152.03 MHz to 315 Algoma Boulevard, Oshkosh, WI.
- 324-C2-MP-72—Mobile Radio Communications, Inc. (KSV904), Modification of C.P. to change the antenna system and relocate facilities operating on 158.70 MHz at location No. 3: to 0.8 mile north of Piper, Kans.
- 325-C2-P-72—Phillips County Telephone Co. (KAQ609), C.P. to replace the transmitter operating on 152.60 MHz and change the antenna system located at 249 West Denver Street, Holyoke, CO.
- 365-C2-P-(4)72—Jackson Radio Dispatch Service (KIB388), C.P. to replace transmitters operating on 152.03, 152.09, and 152.21 MHz, add frequency 152.06 MHz and relocate facilities at Jacksonville, Fla.
- 368-C2-MP-72—Jackson Radio Dispatch Service (KIF632), Modification of C.P. to replace the transmitter operating on 158.70 MHz and relocate facilities at location No. 2: to 1510 Montana Avenue, Jacksonville, FL.
- 367-C2-P-72—Jackson Radio Dispatch Service (KIQ510), C.P. to relocate facilities operating on 35.58 MHz at location No. 1: to 1510 Montana Avenue, Jacksonville, FL.
- 368-C2-P-72—American Radio-Telephone Service, Inc. (KGA590), C.P. to replace the transmitter and change the antenna system operating on 152.09 MHz at the corner of Charles and Payette Streets, Baltimore, MD.
- 370-C2-P-(4)72—Salinas Valley Telephone Co. (KMA837), C.P. to increase the power for 152.03, 152.06, 152.15, and 152.18 MHz for facility located at Mount Toro, 10.3 miles south-southeast of Salinas, Calif.

Major Amendment

- 56-C2-P-(3)72—Com-Nav, Inc. (KQZ780), Amended to change the base frequency to 152.18 MHz. See Public Notice dated July 19, 1971, Report No. 553.

Correction

- 4033-C2-P-(3)-70—ATS Mobile Telephone, Inc. (KBM512) and 5035-C2-P-70—ATS Mobile Telephone, Inc. (New), Correct to read: 4033-C2-P-(4)70 ATS Mobile Telephone, Inc. (KBM512), C.P. for additional facilities at a new site described as location No. 2: Woodmen Tower Building, 1700 Farnam Street, Omaha, NE, to operate on frequencies 152.18, 454.050, and 454.300 MHz and location No. 3: Near Junction of Lynn and Skyline, Council Bluffs, IA, to operate on frequency 152.15 MHz. See Public Notice dated February 2, 1970, Report No. 477.
- 7983-C2-P-(3)-70—ATS Mobile Telephone, Inc. (KBM512), Correct to read: Major amendment to 4033-C2-P-(4)-70, ATS Mobile Telephone, Inc. (KBM512). Amended to add base frequencies 454.175, 454.275, and 454.325 MHz at location No. 2: Woodmen Tower Building, 1700 Farnam Street, Omaha, NE. See Public Notices dated February 2, 1970, Report No. 477 and June 8, 1970, Report No. 495.

INFORMATIVE: It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Nevada

- 4304-C2-P-71—Vegas Instant Page (New).
6261-C2-P-71—Vegas Valley Associates, Inc. (New).

RURAL RADIO SERVICE

- 307-C1-P-72—The Mountain States Telephone & Telegraph Co. (KSV88), C.P. to relocate the antenna tower operating on 454.40 MHz at Casper Mountain, 6 miles south-southwest of Casper, Wyo.
- 869-C1-P-72—Continental Telephone Company of California (New), C.P. for a new rural subscriber station to be located at Havasu Palms, Lake Havasu, Calif., to operate on frequency 157.89 MHz communicating with station KMM598 Black Metal Mountain, Calif.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—Continued

315-C1-P-72—American Telephone & Telegraph Co. (KJH72), C.P. to add frequencies 3710, 3770, 3790, 3860, and 3930 MHz toward Paynesville, Ky., formerly directed toward Guston, Ky. Station location: 3.8 miles southeast of Lanesville, Ind.
 327-C1-P-72—Southern Pacific Communications Co. (New), C.P. for a new station in Lewisville, Ark., at latitude 33°21'19" N., longitude 93°35'22" W. Frequency 11,365 MHz on azimuth 93°53' toward Waldo, Ark.

(INFORMATIVE: This application was filed in conjunction with amendments to pending applications. Files Nos. 6422 and 6423-C1-P-70.)

325-C1-P-72—American Telephone & Telegraph Co. (KPE97), C.P. to add frequency 3890 MHz toward Boise Junction, Idaho. Station location: 619 Eannock Street, Boise, ID.
 327-C1-P-72—American Telephone & Telegraph Co. (KPE98), C.P. to add frequency 3930 MHz toward Boise, Idaho, and 3910 and 3990 MHz toward Mountain Home, Idaho. Station location: 9 miles southeast of Boise, Idaho (Boise Junction).
 328-C1-P-72—American Telephone & Telegraph Co. (KPE99), C.P. to add frequencies 3870 and 3950 MHz toward Boise Junction and Indian Butte, Idaho. Station location: 7.5 miles northeast of Mountain Home, Idaho.
 329-C1-P-72—American Telephone & Telegraph Co. (KFP20), C.P. to add frequencies 3910 and 3990 MHz toward Mountain Home, Idaho, and Jerome, Idaho. Station location: Indian Butte, 8 miles southwest of Hagerman, Idaho.
 330-C1-P-72—American Telephone & Telegraph Co. (KFP22), C.P. to add frequencies 3870 and 3950 MHz toward Indian Butte, Idaho. Station location: 4.5 miles east of Jerome, Idaho.

Major Amendments

(INFORMATIVE: Applicant Interdata Communications, Inc., is amending 11 applications for point-to-point microwave facilities for specialized services between New York City and Washington, D.C. See also applications for new stations in Washington, D.C., and Etal, N.J. All other particulars same as reported in Public Notice dated Dec. 16, 1968.)

3386-C1-P-69—Interdata Communications, Inc. (New). Change frequency toward Jessup, Md., to 6286.2V MHz on azimuth 46°37'. Add point of communication at 1900 L Street NW, Washington, DC, using frequencies 11,305V and 11,625V MHz on azimuth 211°08'. Location: Riggs Road and First Place NE, Washington, DC.

3387-C1-P-69—Interdata Communications, Inc. (New). Change frequencies to 6094.2H on azimuth 228°37' and 5989.7V on azimuth 23°52'. Location: Jessup, Md., latitude 39°08'27" N., longitude 76°45'10" W.

3388-C1-P-69—Interdata Communications, Inc. (New). Change location to Investment Building, Interstate Route 45 near York Road, Towson, MD, at latitude 39°24'10" N., longitude 76°36'12" W. Change frequencies to 6241.7V MHz on azimuth 203°58' and 6404.8H MHz on azimuth 71°08'.

3389-C1-P-69—Interdata Communications, Inc. (New). Change location to 3.1 miles northwest of Perryman, Md., at latitude 39°29'32" N., longitude 76°14'33" W. Change frequencies to 6024.2H MHz on azimuth 251°21' and 6063.8H on azimuth 65°29'.

3390-C1-P-69—Interdata Communications, Inc. (New). Change frequencies to 6286.2H MHz on azimuth 245°43' and 6256.5H MHz on azimuth 69°32'. Location: 2.8 miles northeast of North East, Md.

3391-C1-P-69—Interdata Communications, Inc. (New). Change location to Pennington-Pedricktown Road, Five Points, NJ, at latitude 39°45'19" N., longitude 75°25'18" W. Change frequencies to 6034.2H MHz on azimuth 249°50' and 6093.5H MHz on azimuth 89°22'.

3392-C1-P-69—Interdata Communications, Inc. (New). Change location to 16th and Market Streets, Philadelphia, PA, at latitude 39°57'04" N., longitude 75°09'56" W. Delete points of communication at Five Points and Arneys Mount, N.J. Add frequency 11,175H MHz on azimuth 148°45'.

3393-C1-P-69—Interdata Communications, Inc. (New). Delete Philadelphia as a point of communications. Add frequency 6123.1H MHz on azimuth 223°02' and change frequency to 6004.5V MHz on azimuth 48°27'. Location: 0.5 mile southwest of Arneys Mount, N.J., at latitude 40°00'25" N., longitude 74°42'04" W.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

280-C1-P-72—South Central Bell Telephone Co. (KJH23), C.P. to add frequency 6197.2 MHz toward Brooks, Ky. Station location: 621 West Chestnut Street, Louisville, KY.
 281-C1-P-72—South Central Bell Telephone Co. (KJH59), C.P. to add frequency 6152.8 MHz toward Elizabethtown, Ky., and 6093.5 MHz toward Louisville, Ky. Station location: 2.25 miles northwest of Brooks, Ky.

282-C1-P-72—South Central Bell Telephone Co. (KJH59), C.P. to add frequency 6375.2 MHz toward Horse Cave, Ky., and 6197.2 MHz toward Brooks, Ky. Station location: 6 miles east of Elizabethtown, Ky.

283-C1-P-72—South Central Bell Telephone Co. (KJH60), C.P. to add frequency 6123.1 MHz toward Smiths Grove, Ky., and change power on frequency 6063.8 and 5945.2 MHz toward Elizabethtown, Ky., and add 6123.1 MHz toward Elizabethtown, Ky.

284-C1-P-72—South Central Bell Telephone Co. (KJH61), C.P. to add frequency 6256.5 MHz toward Bowling Green, Ky., and 6286.2 MHz toward Horse Cave, Ky. Station location: 3.8 miles northeast of Smiths Grove, Ky.

285-C1-P-72—South Central Bell Telephone Co. (KJH62), C.P. to add frequency 6123.1 MHz toward Smiths Grove, Ky. Station location: 1150 State Street, Bowling Green, KY.

286-C1-P-72—South Central Bell Telephone Co. (KJM54), C.P. to add frequency 3890 MHz toward Horn Mountain, Ala. Station location: 3 miles south of Odenville, Ala. (Elbow Gap).

287-C1-P-72—South Central Bell Telephone Co. (KJM55), C.P. to add frequency 3890 MHz toward Goldville and Elbow Gap, Ala. Station location: Approximately 7.5 miles southwest of Talladega, Ala.

288-C1-P-72—South Central Bell Telephone Co. (KJM56), C.P. to add frequency 3890 MHz toward Horn Mountain and Roxana, Ala. Station location: 3.3 miles north-northwest of Newsite, Ala.

289-C1-P-72—South Central Bell Telephone Co. (KJM57), C.P. to add frequency 3890 MHz toward Goldville and Tuskegee, Ala. Station location: Approximately 7 miles southwest of Camp Hill, Ala. (Roxana).

290-C1-P-72—South Central Bell Telephone Co. (KJG78), C.P. to add frequency 3930 MHz toward Roxana and Shopton, Ala. Station location: 210 Northside Street, Tuskegee, AL.

291-C1-P-72—South Central Bell Telephone Co. (KJM58), C.P. to add frequency 3890 MHz toward Tuskegee and Troy, Ala. Station location: 3 miles north of China Grove, Ala. (Shopton).

292-C1-P-72—South Central Bell Telephone Co. (KJA25), C.P. to add frequency 3930 MHz toward Shopton, Ala. Station location: Approximately 1 mile northeast of Troy, Ala.

293-C1-MP-72—New England Telephone & Telegraph Co. (KCL60), Modification of C.P. to change frequency 6183.8 MHz to 6397.4 MHz toward Tiverton, R.I. Station location: Mendall Road, Acushnet, MA.

303-C1-P-72—Interdata Communications, Inc. (New). C.P. for a new station at 1900 L Street NW, Washington, DC, at latitude 38°54'13" N., longitude 77°02'38" W. Frequencies 10,735.0 and 10,895 MHz on azimuth 31°07'.

304-C1-P-72—Interdata Communications, Inc. (New). C.P. for a new station at Williams-town Road, 1.1 miles south-southeast of Erla, N.J., at latitude 39°45'29" N., longitude 75°00'08" W. Frequency 6375.2 MHz on azimuth 269°39'. Frequency 6315.9 MHz on azimuth 42°50', and 11,425 MHz on azimuth 326°51'.

(INFORMATIVE: These two applications are to be considered with applications, Files Nos. 3395 through 3398-C1-P-69. A major amendment to these applications appears on Public Notice dated August 2, 1971. Applicant proposes to use frequency diversity between the two Washington, D.C., stations because of the tower height restrictions applicable in the District of Columbia.)

305-C1-AL-72—Michigan Western Telephone Co. (KQES3), Consent to assignment of license from Michigan Western Telephone Co., Assignor to Michigan Telephone Co. (To be renamed Continental Telephone Company of Michigan, Assignee.)

314-C1-P-72—American Telephone & Telegraph Co. (KIM60), C.P. to add frequencies 3730, 3750, 3810, 3830, and 3850 MHz toward Fordsville, Ky., and 4050, 4070, 4130, and 4150 MHz toward Lanesville, Ind. Station location: 0.7 mile northwest of Paynesville, Ky.

8394-C1-P-69—Interdata Communications, Inc. (New). Change location to Carrs Corner, N.J., at latitude 40°13'51" N., longitude 74°22'15" W. Change frequencies to 8226.3V MHz on azimuth 228°40' and 6404.8H MHz on azimuth 42°38'.
 8395-C1-P-69—Interdata Communications, Inc. (New). Change frequencies to 6093.5H MHz on azimuth 229°45' and 6152.8V MHz on azimuth 21°13'. Location: Keyport, N.J.
 8396-C1-P-69—Interdata Communications, Inc. (New). Change location to 11 Broadway, New York, NY, at latitude 40°42'20" N., longitude 74°00'15" W. Change frequency to 6286.2V MHz on azimuth 201°19'.

Major Amendment (Specialized Carrier)

6422-C1-P-70—Southern Pacific Communications Co. (New). Delete point of communication at Bright Star, Ark., and add frequency 10,775 MHz on azimuth 274°02' toward Lewisville, Ark. Location: 1 mile southwest of Waldo, Ark.
 6423-C1-P-70—Southern Pacific Communications Co. (New). Delete point of communication at Waldo, Ark., and add frequency 6064.5 MHz on azimuth 55°38' toward Lewisville, Ark. Location: 0.5 mile north of Bright Star, Ark.

Major Amendments

(INFORMATIVE: Applicant proposes to amend Files Nos. 8300-8307, 8308-8311, 8313-8314, 8316-8326-C1-P-70 proposing "Low Cost Customized" interstate communications between Denver, Colo.; North Platte, Hastings, Lincoln, and Omaha, Nebr.; Sioux City, Iowa, and Sioux Falls, S. Dak.)

8300-C1-P-70—Western Tele-Communications, Inc. (New). Change geographic coordinates to latitude 39°37'03" N., longitude 104°53'36" W. and change frequencies to 6034.2 MHz on azimuth 222°33'. Station location: Denver Technological Center, 3 miles southeast of Denver, Colo.

8302-C1-P-70—Western Tele-Communications, Inc. (New). Change frequencies to 3850 MHz on azimuth 55°15'. Station location: 17 miles south-southwest of Fort Morgan, Colo.

8303-C1-P-70—Western Tele-Communications, Inc. (New). Change frequencies to 4110 MHz on azimuth 235°45' and to 3810 MHz on azimuth 66°45'. Station location: Eagle Point, 12 miles south-southeast of Sterling, Colo.

8304-C1-P-70—Western Tele-Communications, Inc. (New). Change geographic coordinates to latitude 40°38'31" N., longitude 102°35'11" W. and change frequencies to 4150 MHz on azimuth 247°07' and to 3850 MHz on azimuth 42°36'. Station location: 2.3 miles east of Haxtun, Colo.

8305-C1-P-70—Western Tele-Communications, Inc. (New). Change geographic coordinates to latitude 40°56'18" N., longitude 102°13'35" W. and change frequencies to 4110 MHz on azimuth 222°50' and to 3810 MHz on azimuth 61°37'. Station location: 5 miles south of Julesburg, Colo.

8306-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 3 miles northeast of Ogallala, Nebr. (latitude 41°09'44" N., longitude 101°49'30" W.), change frequencies to 4150 MHz on azimuth 241°58' and to 3850 MHz on azimuth 106°52'.

8307-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 15 miles southwest of North Platte, Nebr. (latitude 41°00'19" N., longitude 101°00'00" W.), change frequencies to 4110 MHz on azimuth 287°18' and to 3810 MHz on azimuth 141°19'.

8309-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 8 miles south of Curtis, Nebr. (latitude 40°34'12" N., longitude 100°33'39" W.), change frequencies to 3930 MHz on azimuth 321°38' and to 3850 MHz on azimuth 87°22'.

8310-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 0.5 mile west of Ellwood, Nebr. (latitude 40°35'30" N., longitude 99°52'06" W.), change frequencies to 4110 MHz on azimuth 267°49' and to 3810 MHz on azimuth 75°50'.

8311-C1-P-70—Western Tele-Communications, Inc. (New). Change location to 4 miles west of Kearney, Nebr. (latitude 40°43'20" N., longitude 99°10'40" W.), change frequencies to 4150 MHz on azimuth 256°17' and to 3850 MHz on azimuth 93°56'.

8313-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to Rosedale, 6 miles north of Hastings, Nebr. (latitude 40°40'56" N., longitude 98°37'03" W.), change frequencies to 3880 MHz on azimuth 274°24' and to 3810 MHz on azimuth 90°44'.

8314-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 4 miles north of Sutton, Nebr. (latitude 40°40'28" N., longitude 97°50'40" W.), change frequencies to 3930 MHz on azimuth 271°08' and to 3850 MHz on azimuth 80°11'.

8316-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to Beaver Crossing, 10 miles south-southwest of Seward, Nebr. (latitude 40°45'42" N., longitude 97°09'58" W.), change frequencies to 4110 MHz on azimuth 260°38' and to 3810 MHz on azimuth 79°12'.

8317-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 4 miles east of Lincoln, Nebr. (latitude 40°50'58" N., longitude 96°32'55" W.), change frequencies to 4150 MHz on azimuth 259°36'; to 3930 MHz on azimuth 246°24', and to 3850 MHz on azimuth 90°08'.

8318-C1-P-70—Western Tele-Communications, Inc. (New). Change frequencies to 3790 MHz on azimuth 66°19'. Station location: 27th and Randolph Streets, Lincoln, NE.

8319-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 9 miles northeast of Wahoo, Nebr. (latitude 41°15'51" N., longitude 96°27'28" W.), change frequencies to 3710 MHz on azimuth 189°11'; to 6286.2 and 6345.5 MHz on azimuth 90°45' and add frequency 3790 MHz on azimuth 349°35' toward new point of communication at Knievel, Nebr.

8320-C1-P-70—Western Tele-Communications, Inc. (New). Change location to 1700 Farham Street, Omaha, NE (latitude 41°15'28" N., longitude 96°59'19" W.), and change frequencies to 6093.5 and 6123.1 MHz on azimuth 271°06'.

8321-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to Knievel, 7 miles southeast of West Point, Nebr. (latitude 41°45'12" N., longitude 96°36'49" W.), change frequencies to 3930 MHz on azimuth 166°43' and to 4150 MHz on azimuth 16°41'.

8322-C1-P-70—Western Tele-Communications, Inc. (New). Change geographic coordinates to latitude 42°10'14" N., longitude 96°26'44" W. and change frequencies to 3810 MHz on azimuth 96°47' to 3890 MHz on azimuth 352°06'. Station location: 3 miles northeast of Walthill, Nebr.

8323-C1-P-70—Western Tele-Communications, Inc. (New). Change station location to 1.5 miles east of Sioux City, Iowa (latitude 42°28'45" N., longitude 96°18'48" W.), change frequencies to 3930 MHz on azimuth 197°41'.

8324-C1-P-70—Western Tele-Communications, Inc. (New). Change geographic coordinates to latitude 42°43'33" N., longitude 96°33'00" W.; change frequencies to 3930 MHz on azimuth 172°02' and to 4150 MHz on azimuth 350°30'. Station location: Elk Point, 7 miles south of Akron, Iowa.

8325-C1-P-70—Western Tele-Communications, Inc. (New). Change geographic coordinates to latitude 43°09'25" N., longitude 96°38'55" W.; change frequencies to 3810 MHz on azimuth 170°26' and to 4110 MHz on azimuth 359°30'. Station location: Moe, 8 miles northeast of Beresford, S. Dak.

8326-C1-P-70—Western Tele-Communications, Inc. (New). Change frequencies to 3850 MHz on azimuth 179°30'. Station location: 2.5 miles northeast of Sioux Falls, S. Dak. All other particulars same as reported on Public Notice dated June 22, 1970.

4419-C1-P-71—American Telephone & Telegraph Co. (KBT49). Major amendment: Delete all frequency 6063.8 MHz to 6078.5 MHz toward Dodge City Junction, Kans., at 6.2 miles southeast of Minneola, Kans.
 Delete the following: "and initial Type II-3 and Lenkurt, 74B-1 plant maintenance channels."

4420-C1-P-71—American Telephone & Telegraph Co. (KAM47). Major amendment: Delete all frequency 6063.8 MHz to 6078.5 MHz toward Dodge City Junction, Kans., at 6.2 miles southeast of Minneola, Kans.

4421-C1-P-71—American Telephone & Telegraph Co. (KAM47). Major amendment: Frequency to be changed on path toward Minneola, Kans., is 6226.9 MHz in lieu of 11,035 MHz. All other particulars the same as reported on Public Notice No. 832, dated Feb. 22, 1971.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

- 321-C1-P-72—American Television Relay, Inc. (New), C.P. for a new station at KABC-TV, Prospect and Talmadge Streets, Los Angeles, CA, at latitude 34°06'12" N., longitude 118°18'54" W. Frequency 5960.0 MHz on azimuth 55°22'.
- 322-C1-P-72—American Television Relay, Inc. (New), C.P. for a new station at Mount Wilson, 3.5 miles northeast of Altadena, Calif., at latitude 34°13'36" N., longitude 118°03'59" W. Frequency 5990 MHz on azimuth 138°52'.
- 323-C1-P-72—American Television Relay, Inc. (KTQ75), C.P. for a new point of communications at television station XETV in Mexico. Location: Santiago Peak, 11 miles southeast of Corona, Calif., at latitude 33°42'42" N., longitude 117°31'45" W. Frequency 6175.0 MHz on azimuth 160°08'.

(INFORMATIVE: Applicant proposes to provide the signal of television station KABC-TV of Los Angeles to television station XETV in Tijuana, Mexico.)

- 332-C1-P-72—West Texas Microwave Co. (WHB97), C.P. to add point of communication at Dumas, Tex., using frequencies 11,265 and 11,945 MHz on azimuth 321°23'. Location: 10.5 miles northwest of Panhandle, Tex., at latitude 35°25'37" N., longitude 101°32'59" W.
- (INFORMATIVE: Applicant proposes to provide the television signals of stations KTVT and KDTV to Continental Transmission Corp. in Dumas, Tex.)

- 359-C1-MP-72—KHC Microwave Corp. (WDD97), Modification of C.P. to change location to 2.5 miles south of La Belle, Tex., at latitude 29°50'25" N., longitude 94°09'41" W. Frequencies 6226.9 and 6286.2 MHz on azimuth 61°15'.
- 360-C1-MP-72—KHC Microwave Corp. (WDE30), Modification of C.P. to change location to 1 mile east of Groves, Tex., at latitude 29°59'22" N., longitude 93°50'53" W. Frequencies 6094.2 and 5974.8 MHz on azimuth 70°57'.

- 361-C1-MP-72—KHC Microwave Corp. (WDE81), Modification of C.P. to change location to Cameron Farms, 7 miles south-southeast of Vinton, Ia., at latitude 30°05'07" N., longitude 98°31'40" W. Frequencies 6236.9 and 6286.2 MHz on azimuth 71°21' and 313°20'.
- 6968-C1-P-71—Telecommunications, Inc. (WHA88), Change frequency 6390.0 MHz to 11,115 MHz toward Portland, Oreg. Location: 8 miles west-northwest of Scappoose, Oreg.
- 6964-C1-MP-71—Telecommunications, Inc. (KPR28), Change frequency 6271.4 MHz to 6312.0 MHz toward Silver Lake and Seattle, Wash.

- 6965-C1-MP-71—Telecommunications, Inc. (WHA96), Change location to 301 Galer Street, Seattle, WA, at latitude 47°37'55" N., longitude 122°20'59" W. Change azimuths toward Capitol Peak, KIRO-TV, KING-TV, and KOMO-TV to 219°31', 172°35', 155°15', and 173°28' respectively.

- 6966-C1-P-71—Telecommunications, Inc. (New), Change azimuth to 352°38' toward Seattle, Wash. Location: KIRO-TV, Seattle.
- 6967-C1-P-71—Telecommunications, Inc. (New), Change azimuth to 335°13' toward Seattle, Wash. Location: KING-TV, Seattle.

- 6968-C1-P-71—Telecommunications, Inc. (New), Change azimuth to 352°28' toward Seattle, Wash. Location: KOMO-TV, Seattle.

- 6971-C1-MP-71—Telecommunications, Inc. (WHA93), Change azimuth toward KIMA-TV to 377°34'. Location: 11 miles north of Sumaside, Wash.

- 6972-C1-P-71—Telecommunications, Inc. (New), Change location to KAPP-TV, 35 South First Street, Yakima, WA, at latitude 46°35'04" N., longitude 120°32'30" W. Change azimuth to 105°36'.

- 6974-C1-P-71—Telecommunications, Inc. (New), Change azimuth to Steptoe Butte to 27°53'. Location: 5 miles east of Dayton, Wash.

- 6975-C1-MP-71—Telecommunications, Inc. (WHA97), Change location to Steptoe Butte, 3.2 miles northeast of Steptoe, Wash., at latitude 47°01'59" N., longitude 117°18'12" W. Change azimuth to 206°18' toward Dayton, Wash., and to 358°17' toward Browne Mountain, Wash.

- 6976-C1-MP-71—Telecommunications, Inc. (WHA97), Change point of communication from Rosalia to Steptoe Butte, Wash., on azimuth 178°16'. Location: Browne Mountain, 1.5 miles southeast of Spokane, Wash. All other particulars same as reported in Public Notice dated June 14, 1971.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)—Continued

Major Amendment

- 8297-C1-P-70—Western Tele-Communications, Inc. (New), Delete proposed frequencies and add frequency 6286.2 MHz toward Taylorport and Sleepy Eye, Minn. Location: 1.8 miles southeast of Rush River, Minn.
- 8298-C1-P-70—Western Tele-Communications, Inc. (New), Delete proposed frequencies and add frequency 6034.2 MHz toward St. Paul and Rush River, Minn. Location: Taylorport, 3.8 miles south-southeast of Sharopee, Minn.
- 8299-C1-P-70—Western Tele-Communications, Inc. (New), Delete proposed frequencies and add frequency 6286.2 MHz toward Taylorport, Minn. Location: Corner of Emerald Street and University Avenue, St. Paul, MN.
- 8299-C1-P-70 to change from frequency diversity to space diversity operation using hot standby transmitter.)

Major Amendment

- 6555-C1-P-71—Mountain Microwave Corp. (New), Change frequency to 11,645 MHz on azimuth 279°40'. Location: 3 miles northwest of Dodge City, Kans.

- 333-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station at Omaha, Nebr., 1700 Farnum Street, at latitude 41°15'28" N., longitude 95°55'19" W. Frequencies 5945.2, 5974.8, 6004.5, 6034.2, and 6063.8 on azimuth 271°06'. Frequencies 10,875 and 11,115 on azimuth 268°14'. Frequencies 10,875 and 10,795 on azimuth 269°10'. Frequencies 10,875 and 11,035 on azimuth 273°14'.

- 394-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station at WOW-TV, 3501 Farnum Street, Omaha, NE, at latitude 41°15'51" N., longitude 96°27'33" W. Frequency 11,485 on azimuth 89°09'.

- 335-C1-P-72—Mountain Microwave Corp. (New), C.P. for new fixed station at KMTV-TV, 2615 Farnum Street, Omaha, NE, at latitude 41°15'27" N., longitude 95°57'03" W. Frequency 11,485 on azimuth 88°14'.

- 336-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station at KETV-TV, 27th and Douglas Streets, Omaha, NE, at latitude 41°15'30" N., longitude 95°57'08" W. Frequency 11,485 on azimuth 93°13'.

- 337-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Wahoo, Nebr., at latitude 41°15'51" N., longitude 96°27'38" W. Frequencies 3950, 3970, 4030, 4050, and 4130 on azimuth 189°11'. Frequency 5404.8 on azimuth 90°45'.

- 338-C1-P-72—Mountain Microwave Corp. (New), C.P. for new fixed station near Lincoln, Nebr., at latitude 40°50'53" N., longitude 96°32'56" W. Frequencies 3990, 4010, 4070, 4090, and 4170 on azimuth 259°38'. Frequency 3770 on azimuth 9°08'. Frequencies 4010, 3990, and 4070 on azimuth 252°12'.

- 339-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station at KOLN-TV, Lincoln, Nebr., at latitude 40°49'18" N., longitude 96°39'45" W. Frequency 4110 on azimuth 72°07'.

- 340-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Seward, Nebr., at latitude 40°45'42" N., longitude 97°09'58" W. Frequencies 3950, 3970, 4030, 4050, and 4130 on azimuth 260°38'. Frequency 3590 on azimuth 79°12'.

- 341-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Sutton, Nebr., at latitude 40°40'28" N., longitude 97°50'40" W. Frequencies 3990, 4010, 4070, 4090, and 4170 on azimuth 271°08'. Frequency 3770 on azimuth 80°11'.

- 342-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Rosedale, Nebr., at latitude 40°40'55" N., longitude 98°27'03" W. Frequencies 3980, 3970, 4030, 4050, and 4130 on azimuth 274°24'. Frequency 3730 on azimuth 90°44'. Frequency 4050, 4030, and 4110 on azimuth 120°54'.

- 343-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station at KHAS-TV near Hastings, Nebr., at latitude 40°39'06" N., longitude 98°23'04" W. Frequency 4150 on azimuth 300°56'.

- 344-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Kearney, Nebr., at latitude 40°43'20" N., longitude 99°10'40" W. Frequencies 3990, 4010, 4070, 4090, and 4170 on azimuth 258°17'. Frequency 3770 on azimuth 93°55'. Frequency 4170, 3990, and 4070 on azimuth 161°54'.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—Continued

- 345-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Axtell, Nebr., at latitude 40°29'38" N., longitude 99°04'48" W. Frequency 4110 on azimuth 341°57'.
- 346-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Elwood, Nebr., at latitude 40°35'30" N., longitude 99°52'06" W. Frequencies 3950, 3970, 4030, 4050, and 4130 on azimuth 267°49'. Frequency 3730 on azimuth 75°50'.
- 347-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Curtis, Nebr., at latitude 40°34'12" N., longitude 100°32'39" W. Frequency 3990, 4010, 4070, 4090, and 4170 on azimuth 321°38'. Frequency 3770 on azimuth 87°22'.
- 348-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near North Platte, Nebr., at latitude 41°00'19" N., longitude 101°00'00" W., Frequencies 3950, 3970, 4030, 4050, and 4130 on azimuth 287°18'. Frequency 3730 on azimuth 141°19'. Frequency 4050, 3950, and 4030 on azimuth 45°11'.
- 349-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station at KNOP-TV, North Platte, Nebr., at latitude 41°12'13" N., longitude 100°43'58" W. Frequency 4150 on azimuth 225°38'.
- 350-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Ogallala, Nebr., at latitude 41°09'44" N., longitude 101°40'30" W. Frequencies 3990, 4010, 4070, 4090, and 4170 on azimuth 241°58'. Frequency 3770 on azimuth 106°52'.
- 351-C1-P-72—Mountain Microwave Corp. (KVD68), C.P. for addition to station near Julesburg, Colo., at latitude 40°56'18" N., longitude 102°13'35" W. Frequencies 3950, 3970, 4030, 4050, and 4130 on azimuth 222°50'. Frequency 3730 on azimuth 61°37'.
- 352-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Haxtun, Colo., at latitude 40°38'31" N., longitude 102°35'11" W. Frequencies 3990, 4010, 4070, 4090, and 4170 on azimuth 247°07'. Frequency 3770 on azimuth 42°36'.
- 353-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station (Eagle Point) near Sterling, Colo., at latitude 40°28'48" N., longitude 103°05'08" W. Frequencies 3950, 3970, 4030, 4050, and 4130 on azimuth 235°48'. Frequency 3730 on azimuth 86°48'.
- 354-C1-P-72—Mountain Microwave Corp. (KCM78), C.P. for addition to station near Fort Morgan, Colo., at latitude 40°38'31" N., longitude 102°35'11" W. Frequencies 5945.2, 5974.8, 6063.8, 6093.5, and 6152.8 on azimuth 253°57'. Frequency 3770 on azimuth 55°15'.
- 355-C1-P-72—Mountain Microwave Corp. (WAN44), C.P. for addition to station Colorow Hill at latitude 39°43'54" N., longitude 105°14'58" W. Frequencies 6197.2, 6345.5, and 6404.8 on azimuth 89°22'. Frequency 6197.2, 6226.9, and 6404.8 on azimuth 89°36'. Frequencies 6197.2, 6286.2, and 6404.8 on azimuth 91°28'. Frequencies 6197.2, 6226.9, 6286.2, 6345.5, and 6404.8 on azimuth 112°25'. Frequency 11,425 on azimuth 73°07'.
- 356-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new fixed station near Littleton, Colo., at latitude 39°37'03" N., longitude 10°53'36" W. Frequency 5974.8 on azimuth 292°39'.
- 357-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new station KBTW-TV, 1089 Bannock Street, Denver, CO, at latitude 39°44'01" N., longitude 10°59'24" W. Frequency 10,935 on azimuth 269°32'.
- 358-C1-P-72—Mountain Microwave Corp. (New), C.P. for a new station KOA-TV, 1044 Lincoln Street, Denver, Colo., at latitude 39°43'58" N., longitude 104°59'07" W. Frequency 10,735 on azimuth 269°46'.

(INFORMATIVE: Applicant proposes to relay ABC, CBS, and NBC network television signals from Omaha, Nebr., to Lincoln, Hastings, Kearney, Holdrege, North Platte, Nebr., and Denver, Colo.)

[FR Doc.71-11217 Filed 8-4-71; 8:49 am]

FEDERAL POWER COMMISSION

[Docket No. R172-34, etc.]

AMOCO PRODUCTION CO. ET AL. Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

JULY 23, 1971.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

¹ Does not consolidate for hearing or dispose of the several matters herein.

The Commission orders: (A) Under the Natural Gas Act particularly sections 4 and 15, the Regulations pertaining thereto (18 CFR, Chapter I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and §154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate scheduled No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI72-34	Amoco Production Co.	112	15	United Gas Pipe Line Co. (Cotton Valley Field, Webster Parish, La.)		7-2-71	7-2-71	Accepted			
	do.	112	16	do.	\$38,894	7-2-71		7-3-71	\$14.07636	\$18.75	
RI72-35	Pennzoil Producing Co.	67	13	do.		7-2-71		7-2-71	Accepted		
	do.	67	14	do.	42,063	7-2-71		7-3-71	\$14.07636	\$18.75	
	do.	67	15	do.		7-2-71		8-2-71	Accepted		
RI72-36	Mobil Oil Corp.	68	14	do.		7-7-71		7-7-71	Accepted		
	do.	68	15	do.	70,482	7-7-71		7-8-71	\$14.07636	\$18.75	
	do.	68	16	do.		7-7-71		8-7-71	Accepted		
RI72-37	Howard C. Johnson	1	2	Lone Star Gas Co. (North Dibble & Boyles Area, McClain County, Okla., other area).	232	6-24-71		8-25-71	\$15.0	\$16.10	

* Unless otherwise stated, the pressure base is 15.025 p.s.i.a.

† Corrected by letter dated July 8, 1971.

‡ Amendment dated Apr. 23, 1971, which provides for increased rate applicable only to production from above the base of the Gray Sand Formation.

§ Not used.

¶ Includes 1-cent tax reimbursement.

‡ Applicable only to gas produced from above the base of the Gray Sand.

* Contract dated Apr. 23, 1971, amending basic contract, providing for rate of 25 cents and 2 cents periodic increases every 4 years from date of initial deliveries applicable to gas produced from below the base of the Gray Sand.

† Accepted, to be effective on the dates shown in the "Effective Date" column.

‡ The pressure base is 14.65 p.s.i.a.

§ Accepted, to become effective as of the date of filing with waiver of notice granted.

The purchaser, United, has tracked the rate increases involved here of Amoco, Pennzoil, and Mobil in its rate increase filing of November 13, 1970 which was suspended in Docket No. RP71-41. In these circumstances, good cause exists for waiving the 60 day notice period.

The proposed increased rates relate to sales in areas outside Southern Louisiana and do not exceed the corresponding rate limitation for increased rates in Southern Louisiana. The increases of Amoco, Pennzoil, and Mobil are therefore suspended for one day from the date of filing and Johnson's increase is suspended for 61 days from the date of filing.

All of the producers' proposed increased rates and charges exceed the applicable area

price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[FR Doc.71-11097 Filed 8-4-71;8:45 am]

[Project No. 108, etc.]

NORTHERN STATES POWER CO. ET AL.

Notice of Expiration

JULY 27, 1971.

So that the Congress may have an adequate opportunity to decide whether upon the expiration of the licenses, to

take over the projects under section 14 of the Federal Power Act, as amended (16 U.S.C. 807), and that the licensees for the projects and others may have adequate notice and opportunity to file timely applications for new licenses under section 15 of the act, as amended (16 U.S.C. 808), public notice is hereby given that the licenses issued for the designated and described projects on the appended list will expire on the dates specified.

KENNETH F. PLUMB,
Secretary.

PROJECTS FOR WHICH LICENSES WILL EXPIRE BETWEEN JULY 1, 1971, AND JUNE 30, 1977, WHICH ARE SUBJECT TO TAKE OVER

License expiration date	Licensee	Project No.	State	County or town	Stream	Installation (kw.)	Facilities under license	Period of license (years)
Aug. 8, 1971	Northern States Power Co.	108	Wisconsin	Sawyer	Chippewa River		Dam and reservoir	50
Sept. 16, 1971	Georgia Power Co.	1218	Georgia	Dougherty and Lee	Flint River	5,400	2 dams, 2 reservoirs, powerhouse	35 1/2
Dec. 31, 1971	Leonard Lundgren	1097	Oregon	Jefferson	Jack Creek	90	Diversion dam, canal, penstock, powerhouse, transmission line	20
Feb. 22, 1972	Pacific Gas & Electric Co.	184	California	Alpine, Amador, and Kildorado	South Fork, American River	20,000	4 storage reservoirs, conduit, powerhouse, transmission line	50
Apr. 14, 1972	do.	77	do.	Mendocino	Eel and Russian Rivers	8,800	Storage reservoir, diversion dam, forebay, pressure conduit, 2 powerhouses, discharge canal	50
July 27, 1972	do.	175	do.	Fresno	North Fork, Kings River	128,200	Diversion dam, afterbay dam, conduit powerhouse, transmission line	50
Sept. 26, 1972	Portland General Electric Co.	135	Oregon	Clackamas	Clackamas River and Oak Grove River	51,000	Storage reservoir, diversion dam, forebay reservoir, conduit, powerhouse, and transmission line	50
Oct. 12, 1972	Pennsylvania Electric Co.	200	Pennsylvania	Clarion	Clarion River	28,800	Dam and powerhouse	50
Oct. 31, 1972	Jesse I. Smith	719	Washington	Chelan	James and Phelps Creeks	218	2 diversion dams, 2 conduits and powerhouse	20
Dec. 1, 1972	Pacific Gas & Electric Co.	96	California	Madera and Fresno	San Joaquin River	34,100	Dam, conduit, powerhouse, transmission lines	50
Feb. 6, 1973	Arkansas Power & Light Co.	271	Arkansas	Montgomery, Garland, Hot Springs	Ouachita River	65,300	2 dams, 2 reservoirs, 2 powerhouses	50
Apr. 26, 1973	Southern California Edison Co.	344	California	Riverside and San Bernardino	San Geronio River	2,300	2 diversion dams, 2 canals, 2 forebay tanks, 2 penstocks, 2 powerhouses, and transmission line	50
June 6, 1973	Ford Motor Co.	362	Minnesota	Hennepin and Ramsey	Mississippi River	14,400	Powerhouse	50
June 8, 1973	Alabama Power Co.	349	Alabama	Elmore, Tallapoosa, and Coosa	Tallapoosa River	154,200	Dam, reservoir, powerhouse	50
June 30, 1973	Owens-Illinois Inc.	2180	Wisconsin	Lincoln	Wisconsin River	3,000	Dam, integral powerhouse, transmission line	35 1/2
July 4, 1973	Utah Power & Light Co.	20	Idaho	Bannock and Caribou	Bear River	14,000	Dam and integral powerhouse, reservoir	50
Aug. 24, 1973	Minnesota Power & Light Co.	346	Minnesota	Morrison	Mississippi River	12,000	Dam and integral powerhouse	50
Sept. 18, 1973	Michigan Gas & Electric Co.	401	Michigan	St. Joseph	St. Joseph River	1,700	do.	50

See footnote at end of table.

PROJECTS FOR WHICH LICENSES WILL EXPIRE BETWEEN JULY 1, 1971, AND JUNE 30, 1977, WHICH ARE SUBJECT TO TAKE OVER—Continued

License expiration date	Licensee	Project No.	State	County or town	Stream	Installation (kw.)	Facilities under license	Period of license (years)
Oct. 23, 1973	Pacific Gas & Electric Co.	233	California	Shasta	Pit River	292,250	3 dams, 3 powerhouses, 3 reservoirs, penstocks, pressure tunnels, surge tanks, transmission lines.	50
Oct. 26, 1973	Minnesota Power & Light Co.	469	Minnesota	St. Louis and Lake	Kawishiwi River	4,000	Dam, reservoir, penstocks, powerhouse, and transmission line.	49½
Apr. 10, 1974	North Counties Hydro-electric Co.	287	Illinois	La Salle	Fox	3,689	Dam, reservoir, headrace and powerhouse.	50
June 24, 1974	Escondido Mutual Water Co.	176	California	San Diego	San Luis Rey	760	Diversion dam, conduit dam, reservoir, 2 powerplants and transmission lines.	50
June 26, 1974	Pacific Power & Light Co.	308	Oregon	Wallowa	East Fork Wallowa River and Royal Purple Creek	800	2 diversion dams, 2 pipes, conduits, and powerhouses.	50
June 30, 1974	Wisconsin Public Service Corp.	1979	Wisconsin	Lincoln	Wisconsin	4,200	Dam, reservoir and powerhouse.	36½
June 30, 1974	Wisconsin Michigan Power Co.	2131	Wisconsin and Michigan	Florence, Wis. and Dickinson, Mich.	Menominee	7,200	Dam, reservoir, powerhouse and transmission line.	36½
Sept. 28, 1974	Pennsylvania Power & Light Co.	487	Pennsylvania	Wayne and Pike	Wallenpack	40,000	Dam, dike, reservoir, conduits and powerhouse.	50
Dec. 14, 1974	Georgia Power Co.	485	Alabama and Georgia	Chambers and Lee Ala., Harris, Ga.	Chattahoochee	65,000	Dam, reservoir, powerhouse and transmission line.	50
Dec. 31, 1974	Mosinee Paper Mills Co.	2297	Wisconsin	Mosinee	Wisconsin	3,600	Dam, reservoir, 2 powerhouses and 2 transmission lines.	37
Feb. 27, 1975	Southern California Edison Co.	382	California	Kern	Kern	9,200	Diversion dam, conduit, powerhouse, and transmission line.	50
Apr. 29, 1975	Pacific Gas & Electric Co.	178	do	do	do	8,500	Diversion dam, conduit, powerhouse, and transmission line.	50
Nov. 6, 1975	Alabama Power Co.	618	Alabama	Etmore, Chilton, and Coosa	Coosa	100,000	Dam, powerhouse, storage reservoir, and transmission line.	50
Nov. 10, 1975	Louisville Gas & Electric Co.	289	Kentucky	Jefferson	Ohio	80,320	Powerhouse and appurtenant facilities.	50
Nov. 23, 1975	Pacific Gas & Electric Co.	137	California	Amador and Calaveras	North Fork Mokelumne	192,800	6 dams and storage reservoirs, forebays, diversion facilities, water conduits, 5 powerhouses, transmission lines.	50
Dec. 31, 1975	The Montana Power Co.	1869	Montana	Sanders	Clark Fork	30,000	Dam, powerhouse, reservoir, and transmission line.	38
Dec. 31, 1975	Public Service Co. of New Hampshire	2140	New Hampshire	Merrimack	Merrimack	7,200	Dam, reservoir, and powerhouse.	38
Feb. 19, 1976	The Susquehanna Power Co. and Philadelphia Electric Power Co.	405	Maryland and Pennsylvania	Cecil, Harford, Md., York, Lancaster, Pa.	Susquehanna	474,500	Dam, reservoir, powerhouse, and transmission line.	50
Feb. 24, 1976	Union Electric Co.	459	Missouri	Miller, Morgan, and Camden	Ozage	172,000	Dams, reservoir, powerhouse, and transmission line.	50
June 3, 1976	Crown Zellerbach Corp.	588	Washington	Challam	Elwha	12,000	Dam, reservoir, powerhouse, and transmission line.	50
June 7, 1976	The Washington Water Power Co.	621	Idaho	Nev Perce	Clearwater	10,000	Dam, reservoir, powerhouse, and 2 transmission lines.	50
Aug. 18, 1976	Kentucky Utilities Co.	539	Kentucky	Mercer	Kentucky	2,040	Powerhouse and transmission line.	50
Nov. 22, 1976	Carolina Power & Light Co.	432	North Carolina	Haywood	Big Pigeon	108,600	Dam, reservoir, and powerhouse.	50

¹ Section 14 of the Federal Power Act (16 U.S.C. 807) reserves the right to the United States to take over the project works upon expiration of each license listed

in this table at a price to be determined under that section.

[FR Doc. 71-11100 Filed 8-4-71; 8:45 am]

[Docket Nos. RI72-25, etc.]

TEXACO INC. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

JULY 23, 1971.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, un-

duly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended

Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

¹ Does not consolidate for hearing or dispose of the several matters herein.

NOTICES

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in Dockets Nos.
									Rate in effect	Proposed increased rate	
RI72-25...	Texaco, Inc., et al.....	313	6	Southern Natural Gas Co. (Kokomo Field, Walthall County, Miss.)	\$69,687	6-28-71		12-20-71	# 20.6	# 26.8	
.....do.....	.....do.....	389	6	.....do.....	90,003	6-28-71		12-29-71	# 20.6	# 26.8	
RI71-874...	Atlantic Richfield Co.....	290	1-31	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Grand Isle Area) (Offshore Louisiana)	17,493	6-28-71	4-16-71	# Accepted	# 22.375	# 23.5	RI71-657.
RI71-844...	Cities Service Oil Co.....	186	1-23	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Grand Isle Block 47 Field) (Offshore Louisiana)	17,493	6-21-71	4- 3-71	# Accepted	# 22.375	# 23.5	RI71-655.
RI72-26...	Atlantic Richfield Co.....	232	5	Transwestern Pipeline Co. (Kermit and South Kermit Fields, Winkler County, Tex., Permian Basin)	6,957	6-29-71		12-30-71	20.5897	27.3190	RI100-214.
.....do.....	.....do.....	442	7	.....do.....	33,623	6-29-71		2- 1-72	21.0	# 27.3190	RI71-1053.
RI72-27...	Gulf Oil Corp. et al.....	192	14	Transwestern Pipeline Co. (Puckett-Ellenburger Field, Pecos County, Tex.) (Permian Basin)	381,634	6-28-71		9- 2-71	14.0613	15.0696	RI70-808.
.....do.....	.....do.....	193	25	Transwestern Pipeline Co. (Worsham Field, Reeves County, Tex.) (Permian Basin)	60,238	6-28-71		9- 2-71	18.0788	19.0831	RI70-806.
RI72-28...	Gulf Oil Corp.....	194	13	Transwestern Pipeline Co. (Block 27, McKee Field, Crane County, Tex.) (Permian Basin)	4,419	6-28-71		9- 2-71	18.0788	19.0831	RI70-800.
.....do.....	.....do.....	197	17	Transwestern Pipeline Co. (Puckett-Devonian Field, Pecos County, Tex.) (Permian Basin)	34,082	6-28-71		9- 2-71	#A 18.0426	#A 19.0450	RI70-809.
.....do.....	.....do.....	342	13	Transwestern Pipeline Co. (Crawar and Helmer Fields, Pecos and Ward Counties, Tex.) (Permian Basin)	(²)	6-28-71		9- 2-71	# 18.0788	# 19.0831	RI70-800.
RI72-29...	Marathon Oil Co.....	79	14	Transwestern Pipeline Co. (Waha Field, Reeves County, Tex.) (Permian Basin)	5,042	6-28-71		9- 2-71	18.0459	19.0803	RI70-785.
RI72-30...	Atlantic Richfield Co.....	439	10	Transwestern Pipeline Co. (Crawar Field, Crane and Ward Counties, Tex.) (Permian Basin)	7,739	6-28-71		9- 2-71	18.0788	19.0831	RI70-67.
.....do.....	.....do.....	450	10	Transwestern Pipeline Co. (Worsham Field, Reeves County, Tex.) (Permian Basin)	59,699	6-28-71		9- 2-71	18.0788	19.0831	RI68-820.
RI72-31...	Atlantic Richfield Co. et al..	566	6	Northern Natural Gas Co. (Eldorado Plant, Schleicher County, Tex.) (Permian Basin)	55,612	6-28-71		9- 2-71	16.5496	17.5025	RI70-667.
RI72-32...	Sun Oil Co.....	132	9	Transwestern Pipeline Co. (Waha Field, Pecos County, Tex.) (Permian Basin)	5,021	6-30-71		9- 2-71	18.0788	19.083	RI69-53.
RI72-33...	Phillips Petroleum Co.....	466	# 5	United Gas P/L Co. (West Bryceland Field, Bienville Parish, Northern Louisiana)		6-25-71	7-26-71	# Accepted			
.....do.....	.....do.....	466	6	.....do.....	282,815	6-25-71		12-26-71	# # # 18.5	# # 25.0	

* Unless otherwise stated, the pressure base is 14.85 p.s.i.a.

¹ Not used.

² Not used.

³ Pursuant to Opinion No. 567 and Order No. 413.

⁴ Not used.

⁵ Letter dated June 23, 1971, whereby Atlantic advises that the "K D" Sand Reservoir was discovered prior to Oct. 1, 1968, and therefore does not qualify for higher ceiling.

⁶ Applies only to sales from the "K J" Sand Reservoir.

⁷ Letter dated June 15, 1971, whereby Cities Service advises that the "K D" Sand Reservoir was discovered prior to Oct. 1, 1968, and therefore does not qualify for higher ceiling.

⁸ Increase to contract rate.

⁹ Old gas-well gas.

¹⁰ New gas-well gas.

#* Includes a reduction in price for B.t.u. content below 1,000 B.t.u. per cubic foot.

Price reduced 0.06 cent for treating performed by buyer.

No new gas-well gas sales at present time.

Base rate subject to downward B.t.u. adjustment.

Includes 1.5 cents tax reimbursement.

Amendment dated May 10, 1971, provides for increased rate; provides for 1/2 tax reimbursement and provides that Phillips may file to any higher area rate established by the FPC.

The pressure base is 15.025 p.s.i.a.

Accepted, for filing as correcting the prior increased rate filings, subject to the existing suspension proceedings, in Dockets Nos. RI71-874 and RI71-844, respectively, and the prior orders issued March 19 and Mar. 26, 1971, are amended to reflect that gas from the "K D" sand reservoir is not entitled to the increased price of 23.5 cents.

Accepted, to be effective as of the date shown in the "Effective Date" column.

The proposed increases filed by certain respondents for sales outside the Southern Louisiana are suspended for 5 months from the expiration of the 30-day statutory notice period or the contractually due date, whichever is later, because they exceed the corresponding rate filing limitations imposed in Southern Louisiana. The proposed increased rates in areas outside Southern Louisiana which do not exceed the corresponding rate limitation for increased rates in Southern Louisiana are suspended for a period ending 61 days from the date of filing or for 1 day from the contractually due date, whichever is later.

Atlantic Richfield Co. and Cities Service

Oil Co. had previously filed proposed increases to 23.5 cents per Mcf applicable to gas produced from newly discovered reservoirs. The increases were suspended by orders issued March 26 and March 19, 1971, and made effective subject to refund in Dockets Nos. RI71-874 and RI71-844, respectively, as of April 16 and April 3, 1971, respectively. Both Atlantic and Cities Service now state that one of the reservoirs, the "KD" reservoir, previously claimed for third vintage status under its original filing, does not qualify for such status and therefore it is not entitled to the 23.5 cents price for gas sold from such reservoir. No amounts attributable to the increased rate have been paid for gas sold

from such reservoir and consequently no refunds will be required. The letters are accepted as correcting the prior filings, subject to the existing suspension proceedings in Dockets Nos. RI71-874 and RI71-844, and the prior orders are amended accordingly.

Texaco, Inc. requests effective dates for which adequate notice was not given. Good cause has not been shown for granting these requests and they are denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[FR Doc.71-11098 Filed 8-4-71; 8:45 am]

[Docket No. CS71-11, etc.]

TIPPERARY LAND & EXPLORATION
CORP. ET AL.Notice of Applications for "Small
Producer" Certificates¹

JULY 23, 1971.

Take notice that each of the applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and §157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before August 20, 1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.3 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

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

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

KENNETH F. PLUMB,
Secretary.

Docket No.	Date filed	Name of applicant
CS71-11....	7-6-71	Tipperary Land & Exploration Corp., 500 West Illinois, Midland, TX 79701.
CS71-1101..	6-18-71	Piper Petroleum Co., 2100 First City National Bank Bldg., Houston, Tex. 77002.
CS71-1102..	6-18-71	O & K Petroleum, Inc., 607 Midland National Bank Bldg., Midland, Tex. 79701.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Date filed	Name of applicant	Docket No.	Date filed	Name of applicant
CS71-1103..	6-19-71	Triton Oil & Gas Corp., c/o Mr. Ray H. Eubank, 2310 Republic National Bank Tower, Dallas, Tex. 75201.	CS71-1138..	6-25-71	Northern Michigan Exploration Co., c/o Wm. Warfield Ross, Esq., Wald, Harkrader, Nicholson & Ross, 1320 19th St. N.W., Washington, DC 20036.
CS71-1104..	6-21-71	Publishers Petroleum, a division of the Oklahoma Publishing Co., 300 High-tower Bldg., Oklahoma City, Okla. 73102.	CS71-1139..	6-29-71	Geo P. Hill, 1325 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.
CS71-1105..	6-21-71	Martin-Harbert Pipeline Construction Co., Inc., 663 Northwest Grand Blvd., Oklahoma City, OK 73116.	CS71-1140..	6-28-71	COENCO-1969, 320 Western Resources Bldg., Casper, Wyo. 82901.
CS71-1106..	6-21-71	Collier Diamond Oils, Inc., Box 1537, Fort Worth, TX 76101.	CS71-1141..	6-30-71	The Atascosa Petroleum Co., 3300 Republic National Bank Tower, Dallas, Tex. 75201.
CS71-1107..	6-21-71	John K. Overbey, Trustee, 320 Union Oil Bldg., Anchorage, Alaska 99501.	CS71-1143..	6-30-71	V. F. Vastek, 1212 Vaughn Bldg., Midland, Tex. 79701.
CS71-1108..	6-21-71	John K. Overbey, 320 Union Oil Bldg., Anchorage, Alaska 99501.	CS71-1144..	6-30-71	J. M. Fullinwider, 1212 Vaughn Bldg., Midland, Tex. 79701.
CS71-1109..	6-21-71	Estate of Roger H. Ogden, Post Office Box 61643, Oil Center Station, Lafayette, LA 70501.	CS71-1145..	6-30-71	Hamilton Brothers Oil Co., 1817 Denver Club Bldg., Denver, Colo. 80202.
CS71-1110..	6-21-71	Geological Exploration Co., Post Office Box 1044, Longview, TX 75601.	CS71-1146..	6-30-71	Wylie Hudman Production, Drawer 999, Stinnett, TX 79083.
CS71-1112..	6-21-71	Baylor Van Meter, 320 Union Oil Bldg., Anchorage, Alaska 99501.	CS71-1147..	5-19-71 as amended	J. A. Hauer & Jesse Hager, d.b.a. Hager Gas Co. (successor to C. O. Krebs, agent), Route 1, Danville, WV 26033.
CS71-1113..	6-23-71	Robert B. Peyton, 311 Gulf Bldg., Midland, Tex. 79701.	CS72-1.....	7-1-71	Norman R. Rousselot, Post Office Box 942, Midland, TX 79701.
CS71-1114..	6-24-71	Otis Russell, Post Office Box 1447, Bay City, TX 77414.	CS72-2.....	7-1-71	Windom & Sons Gas & Oil Co., 907 Sandralee Dr., Toledo, OH 43612.
CS71-1115..	6-23-71	Blak Oil Co., 1576 First National Bldg., Oklahoma City, Okla. 73102.	CS72-3.....	7-1-71	Estill S. Heyser, Jr., 403 Bank of Dallas Bldg., 3635 Lemmon Ave., Dallas, TX 75219.
CS71-1116..	6-24-71	Calcasieu Venture N.V., Inc., c/o Kepplinger and Associates, Inc., 1426 Americana Bldg., Houston, Tex. 77002.	CS72-4.....	7-2-71	The Aigis Co., Post Office Box 1679, Alice, TX 75332.
CS71-1117..	6-24-71	Riddell Petroleum Corp., 1405 First City National Bank Bldg., Houston, Tex. 77002.	CS72-5.....	7-6-71	United Bank of Denver, Executor of Estate of Jess O. Atkins, Box 1838, Shreveport, LA 71102.
CS71-1118..	6-24-71	J. S. Michael, Suite 1290, 5061 Westheimer, Houston, TX 77027.	CS72-6.....	7-6-71	Christian B. Atkins, Box 1538, Shreveport, LA 71102.
CS71-1119..	6-24-71	Basin Petroleum Corp., 1606 First National Bldg., Oklahoma City, Okla. 73102.	CS72-7.....	7-6-71	Michael P. Atkins, Box 1538, Shreveport, LA 71102.
CS71-1120..	6-24-71	Howard C. Johnson & Mable T. Johnson, 950 National Foundation Life Bldg., Oklahoma City, Okla. 73112.	CS72-8.....	7-6-71	Don P. Miller, 127 Briarwood Ave., Oak Brook, IL 60521.
CS71-1121..	6-24-71	Murchison Trusts, 2300 First National Bank Bldg., Dallas, Tex. 75202.	CS72-9.....	7-6-71	Blake Hamman, Continental Life Bldg., Fort Worth, Tex. 76102.
CS71-1122..	6-24-71	Resources Investment Corp., 500 Petroleum Club Bldg., Denver, Colo. 80202.	CS72-10....	7-6-71	Western Co. of North America, Post Office Box 186, Fort Worth, TX 76101.
CS71-1123..	6-24-71	Douglas Weatherston and George Weatherston, 1817 NBC Bldg., San Antonio, Tex. 78205.	CS72-11....	7-6-71	Blackriver Corp., 630 Commercial Bank Tower, Midland, Tex. 79701.
CS71-1124..	6-23-71	MacFarlane Co., 305 Armstrong Bldg., El Dorado, Ark. 71730.	CS72-12....	7-6-71	Coastline Petroleum Co., Inc., Post Office Box 4412, Dallas, TX 75208.
CS71-1125..	6-24-71	Greenbrier 65, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.	CS72-13....	7-6-71	Flag-Redfern Oil Co. (successor to Flag Oil Corp. of Delaware et al.), Post Office Box 23, Midland, TX 79701.
CS71-1126..	6-24-71	Greenbrier 66, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.	CS72-14....	7-2-71	Frost National Bank, Trustee Mayme G. Morris, Trust B, Post Office Drawer 1600, San Antonio, TX 78206.
CS71-1127..	6-24-71	Greenbrier 67, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.	CS72-15....	7-7-71	Sablo Oil & Gas, Inc., 319 Meadows Bldg., Dallas, TX 75206.
CS71-1128..	6-24-71	Greenbrier 68, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.	CS72-16....	7-8-71	Charles D. Prutzman, Jr., 70 Pine Street, 37th floor, New York, NY 10005.
CS71-1129..	6-24-71	Greenbrier 69, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.	CS72-17....	7-8-71	W. O. Schock Co., 506 Olive St., St. Louis, MO 63101.
CS71-1130..	6-24-71	Greenbrier 70, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.	CS72-18....	7-8-71	Caddo Pine Island Corp., Route 1, Box 60, Oil City, LA 71961.
CS71-1131..	6-25-71	W. M. Laughlin, 1010 Wilson Bldg., Corpus Christi, Tex. 78401.	CS72-19....	7-9-71	Tennet Oil Co., 1100 Hamilton Bldg., Wichita Falls, Tex. 76301.
CS71-1132..	6-23-71	Schaefer Oil & Gas Co., Inc., 841 Carondelet St., New Orleans, LA 70130.	CS72-20....	7-9-71	W. A. Moncrief, Jr., Moncrief Bldg., Ninth at Commerce, Fort Worth, TX 76102.
CS71-1133..	6-28-71	Art Machin & Associates, Inc., Drawer 2072, Longview, TX 75601.	CS72-21....	7-9-71	Earlshero Oil & Gas Co., Inc., 1380 First National Center-North, Oklahoma City, Okla. 73102.
CS71-1134..	6-28-71	Rex Monahan, Box 1231, Sterling, CO 80751.	CS72-22....	6-30-71	D. H. Byrd (Operator) et al., Pneumatic Applications, Inc., Post Office Box 12546, Oklahoma City, OK 73112.
CS71-1135..	6-28-71	San Juan Exploration Co., Box 458, Harleton, TX 75651.	CS72-23....	7-9-71	Joseph B. Gould, 220 Kiltredge Bldg., Denver, Colo. 80202.
CS71-1136..	6-28-71	Harrold E. Wright, 9023 Devonshire Dr., Dallas, TX 75209.	CS72-24....	7-9-71	Hughes & Hughes, Post Office Drawer 605, Beville, TX 78102.
CS71-1137..	6-28-71	Ben C. Newman, Box 458, Harleton, TX 75651.	CS72-25....	7-9-71	John H. Williams, Post Office Box 82, Midland, TX 79701.
			CS72-26....	7-12-71	Greenbrier 61, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.

Docket No.	Date filed	Name of applicant
CS72-27....	7-12-71	Greenbrier 62, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.
CS72-28....	7-12-71	Greenbrier 63, Ltd., 3330 Republic National Bank Tower, Dallas, Tex. 75201.
CS72-29....	7-12-71	Hornor and Smith, 3210 1 Shell Plaza, Houston, Tex. 77002.
CS72-30....	7-12-71	Beren Corp., 601 Denver Center Bldg., 1776 Lincoln St., Denver, CO 80203.
CS72-31....	7-12-71	Carl E. Gungoll and Estate of Henry H. Gungoll, Deceased, Post Office Box 581, Enid, OK 73701.
CS72-32....	7-12-71	A. C. Black, 1012 Republic National Bank Tower, Dallas, Tex. 75201.
CS72-33....	7-14-71	Paul L. Read, Estate, Box 71, Farmerville, LA 71241.
CS72-34....	7-14-71	H. Huffman & Co., 1207 Petroleum Club Bldg., Oklahoma City, Okla. 73102.
CS72-35....	7-14-71	Jack L. Stanford, 1908 Liberty Bank Bldg., Oklahoma City, Okla. 73102.
CS72-36....	7-14-71	Potts-Stephenson Exploration Co., 1214 Petroleum Club Bldg., Oklahoma City, Okla. 73102.
CS72-37....	7-14-71	Jack Corman, 2230 Republic Bank Tower, Dallas, Tex. 75201.
CS72-38....	7-14-71	Allied Materials Corp., Suite 1213, 100 Park Avenue Bldg., Oklahoma City, Okla. 73102.

[FR Doc.71-11099 Filed 8-4-71;8:45 am]

FEDERAL RESERVE SYSTEM GOODYEAR TIRE & RUBBER CO.

Nonbank Activities

The Goodyear Tire & Rubber Co., Akron, Ohio, has applied, pursuant to §4(d) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(d)), for an exemption from the provisions of the Act limiting the nonbanking activities of a bank holding company. The Applicant controls The Goodyear Bank, Akron, Ohio.

Under section 4(d), the exemption may be granted "(1) to avoid disrupting business relationships that have existed over a long period of years without adversely affecting the banks or communities involved, or (2) to avoid forced sales of small locally owned banks to purchasers not similarly representative of community interests, or (3) to allow retention of banks that are so small in relation to the holding company's total interests and so small in relation to the banking market to be served as to minimize the likelihood that the bank's powers to grant or deny credit may be influenced by a desire to further the holding company's other interests."

Interested persons may express their views on this matter. The application may be inspected in Room 1020 of the Board's building or at the Federal Reserve Bank of Cleveland. Any request for a hearing on this matter should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

Any views or requests for a hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than August 30, 1971.

Board of Governors of the Federal Reserve System, July 29, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-11195 Filed 8-4-71;8:47 am]

MIDLANTIC BANKS INC.

Order Denying Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Midlantic Banks Inc., Newark, N.J., for approval of acquisition of 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to Citizens National Bank, Englewood, N.J.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and §222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Midlantic Banks, Inc., Newark, N.J., a registered bank holding company, for the Board's prior approval of the acquisition of 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to Citizens National Bank, Englewood, N.J.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Comptroller of the Currency, and requested his views and recommendation. The Comptroller recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on March 3, 1971 (36 F.R. 4081), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired, and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is denied.

By order of the Board of Governors,² July 29, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-11196 Filed 8-4-71;8:47 am]

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 New York. Concurring Statement of Governors Mitchell and Sherrill also filed as part of the record and available upon request.

² Voting for this action: Vice Chairman Robertson and Governors Mitchell, Maisel, Brimmer, and Sherrill. Absent and not voting: Chairman Burns and Governor Daane.

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-2949]

BANKERS LIFE COMPANY SEPARATE ACCOUNT B ET AL.

Notice of Application for Exemptions

JULY 30, 1971.

Notice is hereby given that Bankers Life Co. Separate Account B (Account B), a unit investment trust registered under the Investment Company Act of 1940, as amended (Act), Bankers Life Co. (Bankers Life), a mutual life insurance company incorporated under the laws of Iowa, and BLC Equity Services Corp. (BLESCO), 711 High Street, Des Moines, Iowa 50307 (herein after collectively called "Applicants") have filed an application pursuant to section 6(c) of the Act for an order exempting Applicants from the provisions of sections 22(d), 26(a), and 27(c)(2) of the Act. All interested persons are referred to the application, as amended, on file with the Commission for a statement of the representations contained therein, which are summarized below.

Account B is a separate account of Bankers Life established as the facility for issuing certain variable annuity contracts. Account B will offer group variable annuity contracts for use in connection with annuity purchase plans established pursuant to section 403(b) of the Internal Revenue Code (Code). Under Iowa insurance law and regulations, the assets maintained in Account B attributable to variable annuity contracts may not be charged with any liabilities arising out of any other business conducted by Bankers Life, and the income, gains or losses of Account B may be credited to or charged against the assets of Account B without regard to the other income, gains or losses of Bankers Life. All amounts credited to Account B pursuant to variable annuity contracts will be invested in shares of BLC Fund, Inc., a diversified open-end investment company registered under the Act.

Bankers Life has assets in excess of \$2.048 billion and unassigned surplus and mandatory securities valuation reserves in excess of \$101 million. BLESCO, a wholly owned subsidiary of Bankers Life, is a registered broker-dealer under the Securities Exchange Act of 1934 and is a member of the National Association of Securities Dealers, Inc. BLESCO is the principal underwriter of variable annuity contracts participating in Account B.

Applicants request exemptions from the following provisions to the extent set forth below:

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter thereof shall sell any redeemable security issued by such company to the public except at a current offering price described in the prospectus. Applicants

request the following exemptions from section 22(d):

(1) To permit the transfer of amounts accumulated under other contracts issued to group retirement plans qualified under section 403(b) of the Code by Bankers Life to group variable annuity contracts participating in Account B. A participant under such group variable annuity contract may also be a participant under a fixed-dollar annuity contract issued by Bankers Life (group fixed-dollar contract). If permitted by the applicable retirement plan and consented to by Bankers Life, such participant may transfer all or a portion of amounts accumulated under such group fixed-dollar contract without a sales charge to his account under the group variable annuity contract at any time not less than 1 month preceding his annuity commencement date. Usually Bankers Life will permit only one such transfer to be made by a participant in any 1-year period.

(2) Subject to the provisions of the group fixed-dollar contract, the beneficiary of a deceased participant may elect to have all or a portion of the proceeds available to him under the group fixed-dollar contract upon the death of a participant prior to the commencement of annuity payments transferred to a group variable annuity contract without a sales charge.

(3) If the holder of a group variable annuity contract participating in Account B elects to make coverage under such contract available to persons covered under another group contract issued by Bankers Life, such persons will be permitted to have the proceeds available to them under such other contract transferred without charge to accounts under the group variable annuity contract at any time not less than 1 month before their respective annuity commencement dates.

Applicants state that in all cases where a transfer from a group contract issued by Bankers Life is permitted, a sales charge will have already been paid with respect to the amount transferred. Furthermore, they contend that persons for whom such transfers are made will receive no preferential treatment since any group fixed-dollar contract issued concurrently with a group variable annuity contract will provide for a sales charge at least equal to the sales charge under the group variable annuity contract. Applicants represent that no selling expenses in connection with such transfers are anticipated and state that to require a charge would result in an accumulation of sales charges which would be unduly burdensome to persons wishing to effect such transfers.

Some group fixed-dollar contracts issued by Bankers Life, but not concurrently with a group variable annuity contract, provide for a sales charge which is lower than the charge under the group variable annuity contracts. In the event any such fixed-dollar contract is to be used as a contract from which transfers may be made to a group vari-

able annuity contract without load, the owner of such contract will be required to agree, as a condition to the issuance of the group variable annuity contract, to an increase of the sales charge under the fixed-dollar contract so that the sales charge applicable to subsequent payments will equal the sales charge under the group variable annuity contract.

(4) Applicants also request exemption from section 22(d) to permit the crediting of divisible surplus without a sales charge to variable annuity contracts participating in Account B. Applicants assert that, as a mutual life insurance company, Bankers Life is obligated to ascertain, at least annually, divisible surplus and they anticipate that such surplus will arise if actual expenses are less than the charges for such expenses or if actual mortality experience is more favorable than that assumed in the annuity purchase rates used in connection with making monthly annuity payments. Any distribution of divisible surplus will be made by crediting additional units to the accounts maintained under variable annuity contracts or in such other manner as is provided in the contracts.

(5) Applicants request an additional exemption from section 22(d) to permit a beneficiary under a variable annuity contract participating in Account B to elect to have any death proceeds to which he is entitled applied to effect a variable annuity without a sales charge in lieu of payment in a single sum. Applicants assert that no significant selling expenses are anticipated in connection with the election of such option.

Sections 26(a) and 27(c)(2) of the Act, as here pertinent, provide in substance that a registered unit investment trust and any depositor and underwriter for such trust are prohibited from selling periodic payment plan certificates unless the proceeds of all payments other than the sales load are deposited with a qualified bank as trustee or custodian and held under an indenture or agreement containing specified provisions. Such agreement must provide, *inter alia*, that the bank (i) shall have possession of all property of the unit investment trust and shall segregate and hold the same in trust, (ii) shall not resign until the trust has been liquidated or a successor has been appointed, (iii) may collect from the income and, if necessary, from the corpus of the trust such fees for services performed and reimbursement of expenses incurred as are provided for in the agreement, and (iv) shall not be allowed as an expense any payment to the depositor or principal underwriter except a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to the bank. Applicants request an exemption from these requirements on the grounds that the status of Bankers Life as a regulated insurance company and its obligations under the variable annuity contracts provide substantially the protection contemplated by these requirements.

In support of these requested exemptions, Applicants state that Bankers Life is subject to extensive supervision and control by the Iowa insurance regulatory authorities including periodic examination of its financial affairs. Such supervision and inspection is also applicable to Account B thus affording protection to contract owners and assuring performance by Bankers Life of its obligations to such owners. Applicants also assert that under Iowa insurance law and regulation, the assets of Account B attributable to variable annuity contracts are not chargeable with liabilities arising out of other business of Bankers Life. However, the general obligations of Bankers Life include all obligations under the variable annuity contracts in Account B. Applicants contend that such control, regulation, assets and surplus provide ample assurance of ability to meet obligations and afford the essential protection which the trusteeship or custodianship under sections 26(a) and 27(c)(2) is designed to provide.

Applicants have consented that the exemptions requested from sections 26(a) and 27(c)(2) may be made subject to the conditions (1) that the charges under the contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved for such purpose, and (2) that the payment of sums and charges out of the assets of the Account shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payments of sums and charges out of such assets other than charges for administrative services, and Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction from any provision or provisions of the Act, or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 12, 1971 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such

request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-11202 Filed 8-4-71;8:48 am]

[812-2962]

BROAD STREET INVESTING CORP.

Notice of Filing of Application Exempting Sale by Open-End Company of Shares at Other Than Public Offering Price

JULY 28, 1971.

Notice is hereby given that Broad Street Investing Corp. (Applicant), 65 Broadway, New York, NY 10006, a Maryland corporation registered under the Investment Company Act of 1940 (Act) as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act a transaction in which Applicant's redeemable securities will be issued at a price other than the current public offering price described in the prospectus, in exchange for the assets of Rose, Inc. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Rose, Inc., an Oregon corporation, is a company all of the outstanding stock of which is owned beneficially by three persons, and is primarily engaged in investing, reinvesting and trading in securities. Applicant asserts that Rose, Inc., is exempted from the definition of an investment company by reason of the provisions of section 3(c) (1) of the Act.

Since its incorporation in 1955, Rose Inc. has been primarily in the business of investing and reinvesting its funds. Pursuant to an agreement between Applicant and Rose, Inc., substantially all of the cash and securities owned by Rose, Inc. with a value of approximately \$760,049 as of May 14, 1971, will be transferred to Applicant in exchange for shares of

Applicant's capital stock. The number of shares of Applicant to be issued is to be determined by dividing the aggregate market value (with certain adjustments as set forth in the application) of the assets of Rose, Inc. to be transferred to Applicant by the net asset value per share of the Applicant, both to be determined as of the valuation time, as defined in the agreements.

Since the exchange is expected to be tax free for Rose, Inc. and its stockholders, Applicant's cost basis for tax purposes for the assets acquired from Rose, Inc. will be the same as Rose, Inc.'s cost basis, rather than the price actually paid by Applicant for the assets. If the valuation under the agreement had taken place on May 14, 1971, Rose, Inc. would have received 48,000 shares of Applicant's stock.

When received by Rose, Inc., the shares of Applicant, which are registered under the Securities Act of 1933, are to be distributed to the Rose, Inc. stockholders on the liquidation of Rose, Inc. Applicant has been advised by the management of Rose, Inc. that the stockholders of Rose, Inc. have no present intentions of redeeming or otherwise transferring any of Applicant's shares following the proposed transactions.

The Applicant represents that no affiliation exists between Rose, Inc. or its officers, directors, or stockholders and Applicant, its officers or directors, and the agreement was negotiated at arm's length by the two companies. Applicant's Board of Directors approved the agreement as being in the best interests of its shareholders, taking all relevant considerations into account, including, among other things, the fact that the securities will be obtained without the payment of brokerage commissions.

Section 22(d) of the Act provides that registered investment companies issuing redeemable securities may sell their shares only at the current public offering price as described in the prospectus. The exchange contemplated by the agreement would be prohibited by section 22(d) as being a sale of a redeemable security by a registered investment company at a price other than a current offering price described in the prospectus, unless exempted by an order under section 6(c) of the Act. Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than section 22(d), and submits that the granting of the application would be in accordance with the established practice of the Commission, is necessary and appropriate in the public interest, and is consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 18, 1971, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-11187 Filed 8-4-71;8:46 am]

[70-5059]

CONNECTICUT YANKEE ATOMIC POWER CO.

Notice of Proposed Issue and Sale of Notes to Banks

JULY 30, 1971.

Notice is hereby given that Connecticut Yankee Atomic Power Co. (Connecticut Yankee), Post Office Box 270, Hartford, CT 06101, an electric utility subsidiary company of Northeast Utilities and New England Electric System, registered holding companies, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6 and 7 of the Act as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Connecticut Yankee proposes to issue and sell to banks up to \$7 million of its notes outstanding at any one time pursuant to a loan agreement with four participating banks. The banks which are participating in the loan agreement and

the maximum commitment of each bank are as follows:

	Com- mitment
The Connecticut Bank and Trust Co., Hartford, Conn.....	\$4,000,000
Hartford National Bank and Trust Co., Hartford, Conn.....	2,000,000
The Connecticut National Bank, Bridgeport, Conn.....	500,000
The First New Haven National Bank, New Haven, Conn.....	500,000
Total	\$7,000,000

The notes will be issued from time to time no later than October 1, 1971, will be dated the date of issue, will mature on or before October 1, 1973, will bear interest at a rate of one-quarter of 1 percent above the prime rate (currently 6 percent) in effect from time to time at The Connecticut Bank and Trust Co., and may be prepaid at any time without premium. Under the loan agreement, Connecticut Yankee will pay a commitment fee of one-quarter of 1 percent per annum from the date of the loan agreement on the average daily unused amount of the total commitment thereunder through the earlier of October 1, 1971 or the date upon which the company gives written notice to the banks that no further borrowings will be effected under the loan agreement. No compensating balances are required under the loan agreement, and no closing or other related charges will be made by the participating banks. Connecticut Yankee expects to repay the notes from time to time in part from internally generated funds, and the balance will be refunded on or before October 1, 1973, with some form of long-term financing.

In connection with Connecticut Yankee's program to own the uranium required for its plant's initial fuel core, rather than continuing the present lease arrangement with the Atomic Energy Commission ("AEC"), Connecticut Yankee has entered into a contract with the AEC, for enrichment of uranium, which requires the company to supply the AEC with an equivalent amount of uranium in substitution for the uranium presently under lease and to pay the AEC an amount required to cover the cost of enrichment. Connecticut Yankee will obtain the uranium to be supplied to the AEC by borrowing a supply of uranium from a non-affiliated company. The proposed \$7 million of borrowings from banks will be used to finance the enrichment charges to be paid by Connecticut Yankee to the AEC and other costs to be incurred in converting to private ownership including carrying charges of 4 3/4 percent per annum on the borrowed uranium. The borrowed uranium would be repaid with uranium presently committed or under contract for delivery to Connecticut Yankee on or before June 1, 1973.

The fees and expenses to be incurred in connection with the proposed notes are estimated at \$4,000, including legal fees of \$2,000. It is stated that the Connecticut Public Utilities Commission has jurisdiction over the proposed issue and

sale of notes and that no other State and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Connecticut Yankee requests that through December 31, 1971, the certificate of notification under Rule 24 regarding the proposed notes to be filed on a quarterly basis.

Notice is further given that any interested person may, not later than August 23, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Assistant Secretary.

[FR Doc.71-11201 Filed 8-4-71;8:48 am]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

JULY 29, 1971.

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 July 30, 1971, through August 8, 1971.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-11186 Filed 8-4-71;8:46 am]

[70-4986]

GENERAL PUBLIC UTILITIES CORP.

Notice of Posteffective Amendment to Declaration Regarding Cash Capital Contributions to Subsidiary Companies

JULY 30, 1971.

Notice is hereby given that General Public Utilities Corp. (GPU), 80 Pine Street, New York, New York 10005, a registered holding company, has filed a posteffective amendment to a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating section 12(b) of the Act and Rule 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, as amended, which is summarized below, for a complete statement of the proposed transactions.

By order dated March 29, 1971 (Holding Company Act Release No. 17068), this Commission permitted GPU to make cash capital contributions, from time to time up to December 31, 1971, to certain of its subsidiary companies. The proposed capital contributions were to be and will be utilized by the subsidiary companies for the purpose of financing their business as public-utility companies, including the construction of additional facilities and the increase of working capital. Such cash capital contributions will be credited by the recipients to their respective capital surplus accounts.

GPU now proposes that the amounts to be contributed to two of the subsidiary companies be increased as follows:

	Currently authorized	Proposed to be authorized
New Jersey Power & Light Co.....	\$4,900,000	\$10,500,000
Metropolitan Edison Co.....	34,800,000	52,100,000
Pennsylvania Electric Co.....	16,000,000	16,000,000
Waterford Electric Co.....	100,000	100,000
Total.....	55,800,000	78,700,000

The filing states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions. GPU estimates that the fees and expenses as related to the post-effective amendment will be approximately \$1,250.

Notice is further given that any interested person may, not later than August 16, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing

thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended by said post-effective amendment or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements there-of.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.
[FR Doc.71-11203 Filed 8-4-71; 8:48 am]

[70-5046]

NATIONAL FUEL GAS CO. ET AL.

Notice of Proposed Issue and Sale of Notes

JULY 28, 1971.

Notice is hereby given that National Fuel Gas Co. (National), 30 Rockefeller Plaza, New York, NY 10020, a registered holding company, and four of its gas utility subsidiary companies, Iroquois Gas Corp. (Iroquois), Pennsylvania Gas Co. (Penn), the Sylvania Corp. (Sylvania) and United National Gas Co. (United), have filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a), 6(b), 7, 9(a), 10, 12(b), and 12(f) of the Act and Rules 43 and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, as amended, which is summarized below, for a complete statement of the proposed transactions.

National proposes to issue and sell from time to time through December 31, 1971, its unsecured promissory notes to the Chase Manhattan Bank, N. A. (Chase) in a maximum aggregate amount of \$13,500,000 to be outstanding at any one time. The notes will mature on December 31, 1972, and will be prepayable in whole or in part without penalty, except that a premium of three-eighths of 1 percent must be paid if the prepayment results from borrowings from banks

other than Chase. The notes will bear interest at the nominal prime rate in effect at Chase (currently 6 percent). It is stated that Chase requires prime rate borrowers to maintain 20 percent compensating balances, which results in an effective interest cost to National of 7.5 percent per annum, based upon a nominal rate of 6 percent. There will be no commitment fee or other charges to National.

National proposes to use the proceeds from the sale of its notes to Chase to acquire for cash \$11 million principal amount of unsecured notes from Iroquois and \$2,500,000 principal amount of unsecured notes from Sylvania, which notes, Iroquois and Sylvania currently propose to issue and sell to National. These notes will mature on December 31, 1972 and will bear interest at the prime rate of Chase in effect from time to time, such interest payable quarterly. The net proceeds derived from the sale of these long-term notes, together with funds available from current operations, will be used by the subsidiary companies to make additions to utility plant, to prepay notes to National, and to increase and replenish working capital.

Iroquois, United, and Penn also propose to issue and sell from time to time prior to December 31, 1971 to the banks named below short-term promissory notes in the respective aggregate amounts of \$7 million for Iroquois, \$7 million for United, and \$3,500,000 for Penn. Each such note will be dated as of the date of issue, will mature not later than nine months thereafter, will bear interest at the prime commercial rate in effect on the issue date, and will be prepayable at any time, in whole or in part, without penalty. The proceeds derived from the sale of such short-term note borrowings from banks will be used to finance the cost of gas purchased and stored underground for current inventory purposes, and it is stated that such borrowings are expected to be repaid early in 1972 as gas is withdrawn from storage and sold. The maximum amount to be outstanding from each bank is as follows:

Iroquois:	
Marine Midland Trust Company of Western New York, Buffalo, N.Y.-----	3,290,000
Manufacturers & Traders Trust Co., Buffalo, N.Y.-----	3,150,000
Liberty National Bank & Trust Co., Buffalo, N.Y.-----	560,000
Total -----	7,000,000
Penn:	
Warren National Bank, Warren, Pa.-----	550,000
The First National Bank of Erie, Pa.-----	1,500,000
Marine National Bank, Erie, Pa.-----	600,000
Marine Midland Chautauque National Bank, Jamestown, N.Y.-----	500,000
The Pennsylvania Bank & Trust Co., Warren, Pa.-----	350,000
Total -----	3,500,000

United:	
Bradford National Bank, Bradford, Pa.-----	300,000
Du Bois Deposit National Bank, Du Bois, Pa.-----	340,000
Elk County Bank & Trust Co., St. Marys, Pa.-----	300,000
Emporium Trust Co., Emporium, Pa.-----	170,000
First National Bank of Mercer County, Greenville, Pa.-----	200,000
First Seneca Bank & Trust Co., Oil City, Pa.-----	1,000,000
McDowell National Bank, Sharon, Pa.-----	600,000
Northwest Bank & Trust Co., Oil City, Pa.-----	1,000,000
The Pennsylvania Bank & Trust Co., Titusville, Pa.-----	700,000
Producers Bank & Trust Co., Bradford, Pa.-----	70,000
Mellon National Bank & Trust Co., Pittsburgh, Pa.-----	2,320,000
Total -----	7,000,000

The cost of the 1971 plant expansion programs for Iroquois, Penn., Sylvania, and United is \$14 million, \$2,417,000, \$3,513,000 and \$3 million, respectively. It is stated that the fees and expenses in connection with the proposed notes are estimated at \$1,000 for National, \$4,700 for Iroquois, and \$5,150 for Sylvania. It is also stated that the proposed issue and sale of long-term notes by Iroquois are subject to the jurisdiction of the Public Service Commission of New York, the State commission of the State in which Iroquois is organized and doing business; and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. National requests authority to the certificates under Rule 24 with respect to the short-term borrowings on a quarterly basis.

Notice is further given that any interested person may, not later than August 13, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as

to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[PR Doc.71-11188 Filed 8-4-71;8:47 am]

[812-2847]

NORRIS GRAIN CO.

Notice of Application Exempting Transaction From Provisions

JULY 30, 1971.

Notice is hereby given that Norris Grain Co. (Norris), 141 West Jackson Boulevard, Chicago, IL 60604, an Illinois corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act) for an order exempting from the provisions of section 17(a) of the Act the purchases by Norris from New England Merchants National Bank of Boston (Merchants) and Chemical Bank of New York (Chemical), each acting separately on behalf of Waltham Resources Corp. (Resources) pursuant to irrevocable powers of attorney, of 690,000 and 10,000 shares of common stock of Waltham Industries Corp. (Industries), respectively, in accordance with the terms of the agreements referred to below.

Industries is a manufacturing corporation whose common stock is listed on the American Stock Exchange. On May 20, 1971, the American Stock Exchange halted trading in such stock and on July 19, 1971, trading in such stock on the American Stock Exchange was suspended following the filing by Industries on July 14, 1971, in the U.S. District Court for the Central District of California, of a petition for reorganization under Chapter X of the Bankruptcy Act. Norris owns 250,000 shares or approximately 12 percent of the common stock of Industries outstanding. Norris acquired these shares of Industries in November 1969 in connection with the sale by Norris to Industries of all of the outstanding stock of Seymour Foods, Inc. (Seymour).

Resources is a Delaware corporation substantially all of whose assets consist of 700,000 shares (approximately 31 percent) of the outstanding common stock of Industries. It therefore appears that Resources is an investment company under section 3(a)(3) of the Act. However, Resources has filed an application pursuant to section 3(b)(2) of the Act for an order declaring that it is not an investment company on the ground that it is primarily engaged through Industries in a business other than that of investing, reinvesting, owning, holding or trading in securities.

On February 19, 1970, the Commission issued an order (Investment Company Act Release No. 5982), upon

application by Resources, temporarily exempting Resources from certain provisions of the Act pending final determination of Resources' application for a section 3(b)(2) order declaring that it is not an investment company. Such other proceeding is still pending and a final determination with respect to such application has not been made by the Commission. The order issued by the Commission on February 19, 1970, provided, as agreed to by Resources in its application, that during the temporary exemption period Resources and other persons in their relations and transactions with it shall, among other things, be subject to section 17(a) of the Act as though Resources were a registered investment company.

As a result of Resources' and Norris' holdings of Industries common stock described above, Industries is an affiliated person of Resources under section 2(a)(3) of the Act, and Norris is an affiliated person within the meaning of section 2(a)(3) of an affiliated person (Industries) of Resources, which is deemed for this purpose to be a registered investment company.

Section 17(a) of the Act, as here pertinent, makes it unlawful for an affiliated person (Norris) of an affiliated person (Industries) of a registered investment company (Resources) to purchase from such registered company any security or other property unless the Commission, upon application pursuant to section 17(b), grants an exemption from the provisions of section 17(a) after finding that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of such investment company and with the general purposes of the Act.

Section 6(c) of the Act provides, as here pertinent, that the Commission, by order upon application, may conditionally or unconditionally exempt any transaction from any provision of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

BACKGROUND OF PURCHASES

a. *From Merchants.* The application states that in September 1968, Resources borrowed \$2,300,000 from Merchants to finance Resources' purchase of 690,000 shares of Industries common stock; and that in connection therewith, Resources issued to Merchants its demand promissory note in the principal amount of \$2,300,000 (since increased to \$2,425,000, as a result of interest), and pledged the 690,000 shares of Industries stock pursuant to a pledge agreement, which, in the event of default, gave Merchants an irrevocable power of attorney to dispose of the pledged stock to itself and others. The application also states that Merchants has demanded payment of

the note with interest; and that upon default in payment Merchants on August 25, 1970, gave notice to Resources of its intention to sell the pledged shares of Industries stock at a private sale.

By an agreement between Merchants and Norris dated September 8, 1970, Merchants agreed to cause to be sold, and Norris agreed to purchase, the 690,000 shares of Industries common stock pledged with Merchants. On December 15, 1970, Norris, which, as previously noted, had sold all of the outstanding stock of Seymour to Industries in 1969, filed an action in the U.S. District Court for the Southern District of New York against Industries and certain other persons for rescission of the sale of the Seymour stock. Thereafter, on December 30, 1970, Norris and Merchants entered into an agreement supplementing the earlier agreement dated September 8, 1970. Both of these agreements are described more fully below.

b. *From Chemical:* The application states that in September 1969, Resources borrowed \$75,000 from Chemical, and that Resources (i) issued to Chemical its demand promissory note in the principal amount of \$75,000, bearing interest at 9 percent per annum, secured by the pledge of 10,000 shares of Industries common stock, and (ii) gave Chemical an irrevocable power of attorney to dispose of the pledged shares in the event of a default on Resources' note. In addition, the application states that Chemical made demand for payment of the note together with accrued interest; that Chemical informed Resources that, upon Resources' failure to pay its obligation in full, Chemical would take whatever steps would be necessary to realize on the collateral; that Resources has failed to pay and is in default; and that on January 6, 1971, Chemical and Norris entered into an agreement providing for the sale by Chemical and the purchase by Norris of the 10,000 shares of Industries common stock.

The application was originally filed prior to the purchases by Norris of the 700,000 shares of Industries stock. However, on April 30, 1971, and May 7, 1971, after informing the Staff of various problems facing Industries, Norris consummated the purchases of the 690,000 shares of Industries stock from Merchants and the 10,000 shares of Industries stock from Chemical, respectively. At each of those times, the respective parties entered into an escrow agreement which provides for reversal of each purchase in the event that the Commission denies the instant application.

TERMS OF THE PURCHASES

a. *From Merchants.* Pursuant to the agreements dated September 8, 1970, and December 30, 1970, between Norris and Merchants, Norris purchased and acquired from Merchants the 690,000 shares of Industries common stock for a total price of \$2,518,500 (\$3.65 per share) as follows:

Norris has delivered to Merchants for said shares a check for \$20,885 and

Norris' promissory note dated September 8, 1970, in the amount of \$2,497,615, payable 5 years after date, bearing interest from such date at the rate of one half percent per annum over the prime rate charged by Boston banks from time to time and payable quarterly. Norris has an option, in the event it meets a specified net worth test, to renew the \$2,497,615 note for an additional period of 5 years at an annual interest rate of 1 percent over the prime rate of Boston banks.

Norris is to secure this promissory note by pledging 690,000 shares of Industries stock. Under the terms of the escrow agreement mentioned above, the 690,000 shares of Industries stock and Norris' pledge agreement relating thereto are being held in escrow pending Commission action on the instant application. In the event that the Commission issues the order requested, the pledge agreement and the 690,000 shares of Industries stock owned by Norris are to be delivered to Merchants. If the Commission does not issue the order requested, the 690,000 shares of Industries common stock are to be returned to Merchants and the pledge agreement is to be returned to Norris.

In addition, Norris has assigned, and Merchants has acquired, a \$3,200,000 promissory note of Seymour in consideration of the payment by Merchants to Norris of \$3,200,000. In this connection, Norris has delivered to Merchants a promissory note in the principal amount of \$700,000 with interest at the rate of 7 percent per annum. Payment of principal and interest on such \$700,000 note of Norris (on the installment basis specified in the note) is to be made only in the event and for so long as a default exists on the \$3,200,000 note of Seymour. In the event that Merchants collects more than \$2,500,000 in principal on the \$3,200,000 note of Seymour (and more than the interest payable on such \$2,500,000), Norris' obligations under the \$700,000 note as to principal and interest is to be reduced by the amount of such excess payments.

In connection with the foregoing, Norris agreed to the dismissal with prejudice of the action commenced by it to rescind the sale of the common stock of Seymour to Industries, and such action has been dismissed with prejudice.

b. *From Chemical.* Under the terms of the agreement between Norris and Chemical dated January 6, 1971, Norris purchased from Chemical 10,000 shares of Industries common stock for the price of \$36,500 (\$3.65 per share).

In accordance with the terms of an escrow agreement, Norris has deposited \$36,500 with an escrow agent which also holds 10,000 shares of Industries common stock owned by Norris. In the event that the Commission issues the order requested, the 10,000 shares of Industries stock are to be delivered to Norris and the \$36,500 is to be delivered to Chemical. If the Commission does not issue

the order requested, the stock is to be returned to Chemical and the \$36,500 is to be returned to Norris.

SUPPORTING STATEMENTS

The application states that the purchase price of \$3.65 per share of Industries common stock compared with a market price therefor of about \$5 a share prior to the announcement of the proposed purchase and that the discount of about 30 percent from such market price represented by the \$3.65 per share purchase price is customary with respect to purchases of unregistered shares acquired privately for investment.

The application also shows that on the basis of Industries' consolidated balance sheet as of December 26, 1970, Industries' common stock had a net worth equal to \$.54 a share; and that the consolidated net worth of Industries' common stock at such date adjusted to eliminate intangibles of \$5,310,000 represented a deficit of \$1.86 a share.

The consolidated income statement of Industries and its subsidiaries for the year ended December 26, 1970, showed a consolidated net loss of \$7,413,000, before extraordinary items, or a consolidated net loss of \$3.35 a share; after extraordinary items the consolidated net loss amounted to \$13,863,000 which was equal to a loss of \$6.26 a share.

The unaudited income statement of Industries and its subsidiaries consolidated for the three months ended March 27, 1971, shows a net loss of \$1,568,000 or a loss of \$.71 per share of common stock.

Notice is further given that any interested person may, not later than August 18, 1971, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Norris at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

It is ordered, That the Secretary of the Commission shall send a copy of this notice by certified mail to New England Merchants National Bank of Boston, Chemical Bank of New York, and Waltham Resources Corp.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc. 71-11204 Filed 8-4-71; 8:48 am]

[File No. 812-2979]

NWNL VARIABLE ANNUITY ACCOUNT B AND NORTHWESTERN NATIONAL LIFE INSURANCE CO.

Notice of Application for Exemptions

JULY 30, 1971.

Notice is hereby given that NWNL Variable Annuity Account B (Account B), a unit investment trust registered under the Investment Company Act of 1940 (Act), and Northwestern National Life Insurance Co. (NWNL Insurance), 20 Washington Avenue South, Minneapolis, MN 55440, Attention: William F. Spanton (hereinafter collectively called "Applicants") have filed an application pursuant to section 6(c) of the Act for an order exempting Applicants, to the extent noted below, from the provisions of sections 22(d), 26(a), and 27(c)(2) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Account B is a separate account of NWNL Insurance established on April 22, 1970 as the facility for issuing certain variable annuity contracts. Under Minnesota insurance law, that portion of the assets maintained in Account B equal to the reserves and other contract liabilities with respect to the Account may not, to the extent so provided under the applicable contracts, be charged with any liability arising out of any other business conducted by NWNL Insurance. All amounts credited to Account B pursuant to variable annuity contracts will be invested in shares of NWNL Companion Fund, Inc., a diversified open-end investment company registered under the Act.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter thereof shall issue and sell any redeemable security to the public except at a current offering price described in the prospectus. Applicants request an exemption from section 22(d) to permit the transfer of funds from a participant's fixed dollar annuity account to the Separate Account for the participant's variable annuity account without the imposition of an additional sales or administrative charge. The contracts provide for accumulation of values and payments of benefits on a fixed dollar basis

or a variable basis or combination of both. Applicants assert that the same deduction for sales and administrative charges are made from each purchase payment without regard to whether the net proceeds are supplied to provide fixed or variable benefits or a combination of both and, therefore, no unfair discrimination would result from such transfers.

Applicants request an additional exemption from section 22(d) to permit a participant's interests under a group variable annuity contract issued by the Insurance Company to be applied to the purchase of an individual variable annuity contract issued by the Company, without the imposition of an additional sales or administrative charge. Under certain circumstances where purchase payments are discontinued with respect to a participant under a group contract and if the applicable plan permits, a participant may elect, among other things, to have his interests under the group contract applied to the purchase of an individual contract. Applicants submit that to permit this to be done without the imposition of an additional sales or administrative charge would not disrupt the orderly distribution of the individual contracts nor create an unfair price discrimination, inasmuch as the election may be made only in specified situations where purchase payments are discontinued under the contract; the interests will have been accumulated under the group contract at the lower costs that it is anticipated will apply to group contracts; and no significant additional expense will be involved in the issuance of the individual variable annuity.

Applicants also request an exemption from section 22(d) to permit a contract beneficiary to elect, in lieu of a single sum payment, to apply a death benefit under the contract to provide for a variable annuity, without the imposition of an additional sales or administrative charge. Applicants represent that since a sales and administrative charge will have been made on the payments made under the contract, no additional compensation to agents and no significant additional expense will be involved in the issuance of the annuity.

Applicants further request an exemption from section 22(d) to permit the transfer of interests under a fixed dollar annuity contract issued by the Insurance Company to the Separate Account to be applied to a variable annuity contract, with the imposition of a transfer charge of \$10 for each transfer so made but without the imposition of an additional sales or administrative charge. If not prohibited by the contract or the applicable plan, it is intended that such transfers be permitted with respect to contracts whereunder payments are intended to be subject to the provisions of sections 401(a) or 403(b) of the Code. Applicants assert that sales charges will already have been deducted from payments made under such contracts, and it is deemed appropriate to avoid duplication of such charge since the transfers are essentially a service to existing con-

tract owners and do not involve selling efforts comparable to those for new contracts. However, there will be administrative costs in making such transfers, and it is proposed that a uniform \$10 transfer charge be made to cover the cost of each transfer so made.

Finally Applicants request an exemption from section 22(d) to permit the Insurance Company to credit a part of its divisible surplus (resulting from an excess of charges over costs) to contract owners, on a nondiscriminatory basis according to each class of contract, and to permit contract owners to apply any such amounts received under the contracts during any accumulation period to the purchase of additional variable accumulation units in the Separate Account, without the imposition of an additional sales or administrative charge. As actual experience under the contracts becomes known, there may be excess amounts of charges over costs that become a part of the divisible surplus of the Insurance Company and any such excess applicable to a contract may be credited as the Board of Directors of the Insurance Company may determine. The exemption is requested to permit crediting of any excess to the contracts without additional charges.

Sections 26(a) and 27(c)(2), as here pertinent, provide in substance that a registered unit investment trust and any depositor of or underwriter for the trust are prohibited from selling periodic payment plan certificates unless the proceeds of all payments, other than the amount deducted for sales load are deposited with a qualified bank as trustee or custodian and held under an indenture or agreement containing in substance, the provisions required by sections 26(a)(2) and (3) for trust indentures for unit investment trusts. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the trust, and places certain restrictions on charges which may be made against the trust income and corpus, and excludes from expenses which the trustee or custodian may charge against the trust any payment to the depositor or principal underwriter, other than a fee not exceeding such reasonable amount as the Commission may prescribe for performing book-keeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign. As a life insurance company, NWNL Insurance may not properly place the assets of Account B in trust in the hands of another. Applicants request exemptions from sections 26(a) and 27(c)(2) to permit the net purchase payments under the contracts allocated to the Accounts to be held by NWNL Insurance rather than providing for the deposit of such payments with a bank as custodian or trustee for holding under an agreement or indenture containing, in substance, the provisions required by sections 26(a)(2) and (3) of the Act.

In support of these requested exemptions, Applicants state that under the provisions of the Minnesota insurance laws, the Insurance Company is not permitted to hold itself out as a trustee of the property of the Separate Account and cannot place such property in trust in the hands of another. Applicant also submits that a custodianship is unnecessary under the circumstances. The Insurance Company is subject to extensive supervision and control by the Minnesota Commissioner of Insurance. Such control and supervision provide ample assurance against misfeasance and adequately protect the interests of the contract owners. Accordingly, such control and supervision afford the essential protection contemplated by sections 26(a) and 27(c)(2) and the need for a trustee or custodian does not exist. Moreover, Minnesota insurance laws provide that the assets held in the Separate Account equal to reserves and other contract liabilities shall not be chargeable with liabilities arising out of any other business the Insurance Company may conduct, but shall be held and applied exclusively for the benefit of the holders of the variable contracts for which the Separate Account was established. Further, the contractual obligations of the Insurance Company to the contract owners and participants under the variable annuity contracts cannot be abandoned until such obligations have been discharged, and the Insurance Company hereby affirms such obligations. In addition, Applicant asserts that the Insurance Company has substantial capital and surplus, which insure that it will be able to meet its obligations under the contracts.

Applicants have consented that the exemptions requested from sections 26(a) and 27(c)(2) may be made subject to the conditions (1) that the charges under the contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved to the Commission for such purpose, and (2) that the payment of sums and charges out of the assets of Account B shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payments of sums and charges out of such assets other than charges for administrative services, and Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) authorizes the Commission conditionally or unconditionally to exempt any person, security or transaction or any class or classes of persons, securities, or transactions from the provisions of the Act or any rule or regulation thereunder, if and to the extent that

such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 12, 1971 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter herein may be issued upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.
[FR Doc.71-11205 Filed 8-4-71; 8:48 am]

[File No. 500-1]

TILCO, INC.

Order Suspending Trading

JULY 30, 1971.

It appearing on the Securities and Exchange Commission that the summary suspension of trading in the common stock of Tilco, Inc. (a Delaware corporation), and all other securities of Tilco Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 30, 1971, through August 9, 1971.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.
[FR Doc.71-11206 Filed 8-4-71; 8:48 am]

INTERSTATE COMMERCE COMMISSION

[Valuation Docket No. 1322; 1969 Report]

BUCKEYE PIPE LINE CO.

Findings on Value of Property

At a Session of the Interstate Commerce Commission, Accounting and Valuation Board, held at its office in Washington, D.C., this 21st day of June 1971.

The Commission, Accounting and Valuation Board, on the date hereof, adopted a report containing its findings of the value of property of the Buckeye Pipe Line Co., owned or used in common carrier service, which report is hereby referred to and made a part hereof,¹ and good cause appearing:

It is ordered, That on or before 30 days from date of service of this order any interested party may file with the Secretary of the Commission written protest against the findings in the said report, such protest to specify in detail the findings against which protest is made and the reasons for such protest;

And it is further ordered, That if no protest is filed within the period specified and the proceeding is not reopened for any other reason, the said report will be the report of the Commission and the valuation as found therein will be final.

By the Commission, Accounting and Valuation Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11221 Filed 8-4-71; 8:50 am]

[Valuation Docket No. 1424; 1969 Report]

SOUTHCAP PIPE LINE CO.

Findings on Value of Property

At a Session of the Interstate Commerce Commission, Accounting and Valuation Board, held at its office in Washington, D.C., this 24th day of June 1971.

The Commission, Accounting and Valuation Board, on the date hereof, adopted a report containing its findings on the value of property of the Southcap Pipe Line Co., owned and used in common carrier service, which report is hereby referred to and made a part hereof,¹ and good cause appearing:

It is ordered, That on or before 30 days from date of service of this order any interested party may file with the Secretary of the Commission written protest against the findings in the said report, such protest to specify in detail the findings against which protest is made and the reasons for such protest;

And it is further ordered, That if no protest is filed within the period specified and the proceeding is not reopened for any other reason, the said report will

¹ Filed as part of the original document.

be the report of the Commission and the valuation as found therein will be final.

By the Commission, Accounting and Valuation Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[F.R. Doc.71-11222 Filed 8-4-71; 8:50 am]

ASSIGNMENT OF HEARINGS

AUGUST 2, 1971.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

FD 26691, Eastern Freight Ways, Inc., application under section 214 for authority to issue and to guarantee notes, assigned September 14, 1971, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 107515 Sub 741 and Sub 745, Refrigerated Transport Co., Inc., and MC 129537 Sub 8, Reeves Transportation Co., assigned September 13, 1971, at the Atlantic American Motor Hotel, 160 Spring Street, Atlanta, GA.

MC 13651 Sub 15, Peoples Transfer, Inc., assigned September 23, 1971, in Room 1534, U.S. Courthouse, 312 North Spring Street, Los Angeles, CA.

MC 109397 Sub 251, Tri-State Motor Transit Co., assigned September 15, 1971, in Room 1534, U.S. Courthouse, 312 North Spring Street, Los Angeles, CA.

MC 112822 Sub 183, Bray Lines, Inc., assigned September 20, 1971, in Room 1534, U.S. Courthouse, 312 North Spring Street, Los Angeles, CA.

MC 113855 Sub 233, International Transport, Inc., assigned September 16, 1971, in Room 1534, U.S. Courthouse, 312 North Spring Street, Los Angeles, CA.

MC 113855 Sub 236, International Transport, Inc., assigned September 17, 1971, in Room 1534, U.S. Courthouse, 312 North Spring Street, Los Angeles, CA.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11224 Filed 8-4-71; 8:49 am]

FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 2, 1971.

Protests to the granting of an application must be prepared in accordance with Rule 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. 42257—Resin plasticizers from Texas City, Tex. Filed by Southwestern Freight Bureau, agent (No. B-

256), for interested rail carriers. Rates on resin plasticizers, in tank carloads, as described in the application, from Texas City, Tex., to Fort Lauderdale, Fla. Grounds for relief—Private water competition.

Tariff—Supplement 169 to Southwestern Freight Bureau, agent, tariff ICC 4773. Rates are published to become effective on August 28, 1971.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11223 Filed 8-4-71;8:49 am]

[Notice 727]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 2, 1971.

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-72957. By order of July 30, 1971, the Motor Carrier Board approved the transfer to B & C Specialized Carriers, Inc., Indianapolis, Ind., of the operating rights in Certificates Nos. MC-111941 (Sub-No. 9), MC-111941 (Sub-No. 11), MC-111941 (Sub-No. 12), MC-111941 (Sub-No. 18), and MC-111941 (Sub-No. 19), issued June 13, 1967, January 3, 1968, March 7, 1969, May 17, 1971, and July 6, 1971, respectively, to Pierceton Trucking Company, Inc., Laketon, Ind., authorizing the transportation of precast concrete, prefabricated steel, steel articles, cement slabs, and allied products, steel articles which because of size or weight require the use of special equipment, and materials, supplies, and equipment used therewith, and brick, from Indianapolis and Muncie, Ind., Danville, Ill., and Detroit, Mich., to points in Illinois, Indiana, Kentucky, Missouri, Ohio, Tennessee, West Virginia, Michigan, New York, Pennsylvania, Iowa, Minnesota, and Wisconsin, varying with the commodity involved. Alki E. Scopellitis, 815 Merchants Bank Building, Indianapolis, Ind. 46024, attorney for applicants.

No. MC-FC-72965. By order of July 29, 1971, the Motor Carrier Board approved the transfer to David Marcus, Inc., Brooklyn, N.Y., of the operating rights in Certificates Nos. MC-128252 (Sub-No. 1) and MC-128252 (Sub-No. 2), issued June 21, 1967 and February

18, 1969, respectively, to David Marcus doing business as Marcus Trucking, Brooklyn, N.Y., authorizing the transportation of electric lamps, electric lighting fixtures, and parts used in the manufacture of electric lamps and electric lighting fixtures from points in the New York, N.Y., commercial zone as defined to Great Neck and Hauppauge, N.Y., and from Great Neck and Hauppauge, N.Y., to points in New Jersey and Fairfield County, Conn. Arthur J. Piken, 1 Lefrak City Plaza, Flushing, N.Y. 11368, attorney for applicants.

No. MC-FC-72967. By order of July 29, 1971, the Motor Carrier Board approved the transfer to D & H Trucking, Inc., Sapulpa, Okla., of the operating rights in Certificates Nos. MC-34231 (Sub-No. 3) and MC-34231 (Sub-No. 7), issued February 12, 1959 and February 14, 1963 respectively to Raymond Nye, doing business as Raymond Nye Oil Field Trucking and Raymond Nye, Dorothy Ona Nye, Executrix, doing business as Raymond Nye Trucking, Bartlesville, Okla., authorizing the transportation of specified commodities between points in Arkansas, Colorado, Illinois, Missouri, Nebraska, New Mexico, Oklahoma, Texas, Wyoming, Kansas and Louisiana. Kirk Woodliff, Box 1090, Henryette, OK 74437, attorney for applicants.

No. MC-FC-72997. By order of July 29, 1971, the Motor Carrier Board approved the transfer to Wisconsin-Pacific Express, Inc., Sheboygan, Wis., of the operating rights in Certificate No. MC-47898, issued December 17, 1957 to Clark Cartage Co., Inc., Green Bay, Wis., authorizing the transportation of cheese between points in that part of Wisconsin north of a line beginning at Milwaukee, Wis., and extending to the mouth of the Wisconsin River. Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, WI 53705, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11227 Filed 8-4-71;8:50 am]

[Rev. S.O. 994; ICC Order 57, Amdt. 2]

PENN CENTRAL TRANSPORTATION CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC order No. 57 (Penn Central Transportation Co., George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, Trustees), and good cause appearing therefor:

It is ordered, That ICC order No. 57 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., August 31, 1971, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., July 31, 1971, 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 car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 30, 1971.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[FR Doc.71-11226 Filed 8-4-71;8:49 am]

[Ex Parte MC-64; Gen. Temp. Order 7]

TEMPORARY AUTHORITY TO PERFORM MOTOR CARRIER SERVICES

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D.C., on the 2d day of August 1971.

The Interstate Commerce Commission having under consideration the urgent need for motor carrier services due to the cessation of normal railroad transportation occasioned by work stoppages, the national transportation policy, the public interest, and, among others, sections 202(a), 204(a)(6), and 210a(a) of the Interstate Commerce Act, and

It appearing, that due to a labor dispute, the common carriers by railroad are unable to transport passengers and property tendered to them; and that an emergency exists in all sections of the United States requiring immediate action on the part of the Commission to make provision for adequate transportation service in the interest of the public and the national defense;

It further appearing, that there exists and immediate and urgent need for additional motor carrier service to supplement temporarily the transportation facilities of the Nation for the movement of military, and other freight, and passengers;

And it further appearing, that the present transportation emergency and immediate need for maximum utilization of motor carrier facilities, equipment, and service have made it necessary for the Commission to provide and authorize a more flexible method whereby motor carriers, and other persons, may obtain temporary authorizations to render the required motor service necessary in the public interest and to the national defense:

It is ordered, That pursuant to section 210a(a) of the Interstate Commerce Act (49 U.S.C. 310a(a)), all persons who shall apply to any regional director, assistant regional director, or district supervisor of the Commission's Bureau of Operations are hereby granted temporary authority to transport passengers or property by motor vehicle for a period of not more than 30 days to the extent and scope that such regional director or district supervisor shall certify that due

to the existing transportation emergency, there is an immediate and urgent need for the service applied for, and there is no available carrier service capable of meeting such need:

It is further ordered. That the grant of such temporary authority be, and it is hereby, conditioned upon satisfying the said regional director, assistant regional director, or district supervisor of full compliance by the grantee with all applicable statutory and Commission requirements concerning tariff publications, evidence of security for the protection of the public, and designation of agents for service of process, and further conditioned upon such tariff publications quoting rates, fares, and charges no lower than those of existing rail, water, or motor carriers in the territory in which the operations are to be authorized:

It is further ordered. That temporary authority granted pursuant to this order shall expire as of the first midnight after rail carrier service shall have been re-instituted, except as to passengers or property, the transportation of which was begun prior to that time:

It is further ordered. That this order shall become effective on the 2d day of August 1971:

And it is further ordered. That notice of this order shall be given to motor carriers, other parties of interest, and to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, Division 1.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11225 Filed 8-4-71; 8:49 am]

[Notice 62]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JULY 30, 1971.

The following applications are governed by Special Rule 1100.247¹ of the Commission's general rules of practice (49 CFR, 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 pro-

ceeding (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 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 4483 (Sub-No. 15), filed June 28, 1971. Applicant: MONSON DRAY LINE, INC., Route 1, Red Wing, MN 55066. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, MN 55114. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Silos, knocked down or in sections, and component parts thereof, including silo loading and unloading equipment and equipment and materials incidental to the erection and completion of silos, from Cannon Falls, Minn., to points in Iowa, Minnesota, 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 Minneapolis, Minn.

No. MC 7156 (Sub-No. 7), filed June 29, 1971. Applicant: WILLIAMS TRANSFER CO., a corporation, 135 North Cleveland Street (Post Office Box 706), Eugene, OR 97401. Applicant's representative: F. Leroy Sherman (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles, from Eugene, Oreg., to points in Humboldt, Del Norte, Siskiyou, Modoc, Trinity, Shasta, Lassen, Mendocino, Tehama, and Butte Counties, Calif., restricted to shipments in excess of 10,000 lbs. 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 Eugene or Portland, Oreg.

No. MC 7640 (Sub-No. 29), filed July 7, 1971. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Wilson, NC 27893. Applicant's representative: Harry J. Jordan, 1000 16th Street NW, Washington, DC 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Boards made from wood using wood chips, wood shavings or wood fiber, alone or in combination; with or without added binder; with surface unfinished or finished with decorative or protective materials and with or without accessories and supplies used in the installation and/or application therefor, from points in Nash County, N.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maryland, Massachusetts, Mississippi, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia; and (2) materials, equipment, and supplies used in the manufacture and distribution of the commodities described in (1) above, from points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maryland, Massachusetts, Mississippi, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia to points in Nash County, N.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 Wilson, N.C., or Washington, D.C.

No. MC 8535 (Sub-No. 37), filed June 29, 1971. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INCORPORATED, 2700 Broening Highway, Baltimore, MD 21222. Applicant's representative: John Guandolo, 1000 16th Street NW, Washington, DC 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Boards made from wood using wood chips, wood shavings, or wood fiber, alone or in combination; with or without added binder; with surface unfinished or finished with decorative or protective materials and with or without accessories and supplies used

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

in the installation and/or application thereof, from points in Nash County, N.C., to points in Connecticut, Delaware, Kentucky, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, and West Virginia; and (2) materials, equipment, and supplies used in the manufacture and distribution of the commodities described in (1) above, from points in Connecticut, Delaware, Kentucky, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, and West Virginia to points in Nash County, N.C. NOTE: Applicant states it has been authorized to temporarily control through management Mack Brothers, Inc., in MC-F-11174, and its existing certificate, when joined with that of Mack Brothers, Inc., permits operations between Nash County, N.C., on the one hand, and, on the other, the following States: Maryland, Delaware, Pennsylvania, New Jersey, New York, Virginia, West Virginia, Kentucky, Ohio, and the District of Columbia. Applicant further states if any duplicating authority results, it will accept the imposition of a restriction prohibiting severance by sale or otherwise. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 11207 (Sub-No. 311), filed June 28, 1971. Applicant: DEATON, INC., 317 Avenue West, Post Office Box 938, Birmingham, AL 35201. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk), from Florence, Ky., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, Mississippi, Arkansas, and Louisiana. 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 18738 (Sub-No. 40), filed July 7, 1971. Applicant: SIMS MOTOR TRANSPORT LINES, INC., 610 West 138th Street, Chicago, IL. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Steel coils*, between Greenfield and Indianapolis, Ind., over U.S. Highway 40, serving no intermediate points. NOTE: Applicant states no duplicate authority is sought. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 19227 (Sub-No. 156), filed June 23, 1971. Applicant: LEONARD BROS. TRUCKING CO., INC., 2595 Northwest 20th Street, Miami, FL 33152. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, DC 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes,

transporting: *Commodities*, other than oilfield equipment, and except boats, which because of size or weight require the use of special equipment, between points in Texas, on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Wisconsin, and the District of Columbia. The purpose of this application is to seek authority to substitute Texas for Florida as the gateway on traffic moving between Texas and points north and west thereof, on the one hand, and, on the other, the above-designated States. Applicant presently holds authority between points in the State of Texas and points in the State of Florida, and between points in the State of Florida, on the one hand, and, points in each of the above-mentioned States on the other, under Docket No. MC 19227 (Sub-Nos. 43 and 32) respectively. NOTE: Applicant intends to tack through Texas, its operations to and from the States of California, Arizona, New Mexico, and Oklahoma. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29120 (Sub-No. 126), filed July 1, 1971. Applicant: ALL-AMERICAN TRANSPORT INC., 1500 Industrial Avenue, Post Office Box 769, Sioux Falls, SD 57101. Applicant's representative: E. J. Dwyer (same address as applicant). 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 hides and skins, serving Manchester, Mo., as an off-route point in connection with carrier's authorized regular route operations between Sioux Falls, S. Dak., and St. Louis, Mo., restricted against the transportation of shipments originating at or destined to Manchester, Mo., on the one hand, and, originating at or destined to St. Louis, Mo., and its commercial zone on the other. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 29910 (Sub-No. 104), filed July 2, 1971. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, AR 72901. Applicant's representatives: Thomas Harper and Tom Harper, Jr., Kelly Building, Post Office Box 43, Fort Smith, AR 72901. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Composition roofing shingles, asbestos siding, and asphalt cement*, from the plantsite of Bird Roofing Co., at Shreveport, La., to points in Missouri. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, appli-

cant requests it be held at Shreveport, La., or Little Rock, Ark.

No. MC 31389 (Sub-No. 139), filed June 21, 1971. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughton Street, Box 213, Winston-Salem, NC 27102. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, as follows: Between Orange and Williamstown, Mass., from Orange over Massachusetts Highway 2 to junction Massachusetts Highway 2A at or near Shelburn Falls, Mass., thence over Massachusetts Highway 2 to Williamstown and return over the same route, serving all intermediate points; between Springfield, Mass., and White River Junction, Vt., from Springfield over U.S. Highway 5 to White River Junction and return over the same route, serving all intermediate points; between junction U.S. Highway 5 and Massachusetts Highway 141, at Holyoke and Northampton, Mass., from junction U.S. Highway 5 and Massachusetts Highway 141 over Massachusetts Highway 141 to Easthampton, Mass., and thence over Massachusetts Highway 10 to Northampton and return over the same route, serving all intermediate points; between Bernardston, Mass., and Brattleboro, Vt., from Bernardston over Massachusetts Highway 10 to junction Massachusetts Highway 142, thence over Massachusetts Highway 142 to the Massachusetts-Vermont State line and thence over Vermont Highway 142 to Brattleboro and return over the same route, serving all intermediate points;

Between junction U.S. Highway 5 and Vermont Highway 12, near Bellows Falls, Vt., and Ascutney, Vt., from junction U.S. Highway 5 and Vermont Highway 12 over Vermont Highway 12 to the Connecticut River, thence across the Connecticut River to New Hampshire Highway 12, thence north over New Hampshire Highway 12 to the Connecticut River, thence across the Connecticut River to Vermont Highway 12 and thence over Vermont Highway 12 to Ascutney and return over the same route, serving all intermediate points and the off-route point of Claremont Junction, N.H.; between Dover, N.H., and Springvale, Maine, from Dover over New Hampshire Highway 9 via Somersworth, N.H., to the New Hampshire-Maine State line, thence over Maine Highway 9 via Berwick, Maine, to North Berwick, Maine, thence over Maine Highway 4 to junction Maine Highway 109 and thence over Maine Highway 109 to Springvale and return over the same route, serving all intermediate points; between Dover, N.H., and Wells, Maine, from Dover over unnumbered highway via Salmon Falls, N.H., to the New Hampshire-Maine State line, thence over unnumbered highway

to South Berwick, Maine, thence over Maine Highway 4 to North Berwick, Maine, and thence over Maine Highway 9 to Wells and return over the same route, serving all intermediate points; between Dover, N.H., and South Berwick, Maine, from Dover over New Hampshire Highway 4 to the New Hampshire-Maine State line and thence over Maine Highway 4 to South Berwick and return over the same route, serving all intermediate points;

Between Berwick and South Berwick, Maine, from Berwick over Maine Highway 236 to South Berwick and return over the same route, serving all intermediate points; between Dover, N.H., and Newburyport, Mass., from Dover over New Hampshire Highway 108 via Exeter, N.H., to junction New Hampshire Highway 150, thence over New Hampshire Highway 150 via Kensington, N.H., to the New Hampshire-Massachusetts State line, thence over Massachusetts Highway 150 to Amesbury, Mass., thence over unnumbered highway and "Chain Bridge" to junction Massachusetts Highway 113 and thence over Massachusetts Highway 113 to Newburyport and return over the same route, serving all intermediate points; between Dover and Manchester, N.H., from Dover over New Hampshire Highway 4 to Barrington, N.H., thence over New Hampshire Highway 9 to junction U.S. Highway 202, thence over U.S. Highway 202 via Northwood, N.H., to junction New Hampshire Highway 28 and thence over New Hampshire Highway 28 to Manchester and return over the same route, serving all intermediate points; between Durham and Northwood, N.H., from Durham over U.S. Highway 4 to Northwood and return over the same route, serving all intermediate points; between Manchester and Hampton, N.H., from Manchester over New Hampshire Highway 101 via Raymond, N.H., to Exeter, N.H., and thence over New Hampshire Highway 101C to Hampton and return over the same route, serving all intermediate points;

Between Boston and Middleton, Mass., from Boston over unnumbered highway via Malden, Melrose, Wakefield, and Lynnfield, Mass., to junction Massachusetts Highway 62 and thence over Massachusetts Highway 62 to Middleton and return over the same route, serving all intermediate points; between Boston and North Reading, Mass., and thence over unnumbered highway to North Reading, and return over the same route, serving all intermediate points, between Lynnfield and North Reading, Mass., from Lynnfield over unnumbered highways to North Reading and return over the same route, serving all intermediate points; between Boston and Wakefield, Mass., from Boston over Massachusetts Highway 38 to Woburn, Mass., and thence over Massachusetts Highway 128 to Wakefield and return over the same route, serving all intermediate points; between Woburn and Littleton Common, Mass., from Woburn over Massachusetts Highway 38 to Lowell, Mass., and thence over Massachusetts Highway 110 to Littleton

Common and return over the same route, serving all intermediate points; between junction Massachusetts Highway 62 and Massachusetts Highway 38 (near Wilmington, Mass.), and junction Massachusetts Highway 62 and Massachusetts Highway 28, from junction Massachusetts Highways 62 and 38 over Massachusetts Highway 62 to junction Massachusetts Highway 28 and return over the same route, serving all intermediate points; between Boston and Orange, Mass., from Boston over Massachusetts Highway 2 to junction Massachusetts Highway 2A, thence over Massachusetts Highway 2A via Somerville, Arlington, Lincoln, Concord, East Acton, North Acton, Littleton, Ayer, Lunenburg, and Fitchburg, Mass., to junction Massachusetts Highway 2, thence over Massachusetts Highway 2 via Gardner, Phillipston, and Athol, Mass., to Orange and return over the same route, serving all intermediate points;

Between Phillipston and Athol, Mass., from Phillipston over U.S. Highway 202 to Baldwinville, Mass., and thence over unnumbered highways via Royalston, Mass., to Athol and return over the same route, serving all intermediate points; between Fitchburg and Baldwinville, Mass., from Fitchburg over Massachusetts Highway 12 via Ashburnham, Mass., to Winchendon, Mass., and thence over U.S. Highway 202 to Baldwinville and return over the same route, serving all intermediate points; between Gardner and Baldwinville, Mass., from Gardner over Massachusetts Highway 68 to Baldwinville and return over the same route, serving all intermediate points; between Gardner and South Ashburnham, Mass., from Gardner over Massachusetts Highway 101 to South Ashburnham and return over the same route, serving all intermediate points; between Gardner, Mass., and junction Massachusetts Highway 140 and Massachusetts Highway 12, from Gardner over Massachusetts Highway 140 to junction Massachusetts Highway 12 and return over the same route, serving all intermediate points; between Ayer and Fitchburg, Mass., from Ayer over unnumbered highway to North Leominster, Mass., thence over Massachusetts Highway 13 to Leominster, Mass., and thence over Massachusetts Highway 12 to Fitchburg and return over the same route, serving all intermediate points; between Littleton and Lunenburg, Mass., from Littleton over Massachusetts Highway 110 to Littleton Common, Mass., thence over Massachusetts Highway 119 to Groton, Mass., and thence over Massachusetts Highway 225 to Lunenburg and return over the same route, serving all intermediate points;

Between Concord and Littleton, Mass., from Concord over Massachusetts Highway 62 to Maynard, Mass., thence over Massachusetts Highway 27 via South Acton, Mass., to junction Massachusetts Highway 111, thence over Massachusetts Highway 111 to Boxborough, Mass., and thence over unnumbered highway to Littleton and return over the same route, serving all intermediate points; between

Boston and Hudson, Mass., from Boston over U.S. Highway 20 via Watertown, Waltham, Weston, and Wayland, Mass., to Marlboro, Mass., and thence over Massachusetts Highway 85 to Hudson and return over the same route, serving all intermediate points; between Wayland and Hudson, Mass., from Wayland over unnumbered highway to Hudson and return over the same route, serving all intermediate points; between Waltham and Maynard, Mass., from Waltham over Massachusetts Highway 117 to Maynard and return over the same route, serving all intermediate points; between Concord, Mass., and junction Massachusetts Highway 126 and Massachusetts Highway 117, Concord over Massachusetts Highway 126 to junction Massachusetts Highway 117 and return over the same route, serving all intermediate points; between Waltham and Malden, Mass., from Waltham over Massachusetts Highway 60 via Belmont, Arlington, and Medford, Mass., to Malden and return over the same route, serving all intermediate points; between Amesbury and Salisbury, Mass., from Amesbury over Massachusetts Highway 110 to junction unnumbered highway to Salisbury and return over the same route, serving all intermediate points;

Between Boston and North Chelmsford, Mass., from Boston over Massachusetts Highway 2A to junction Massachusetts Highway 4 and thence over Massachusetts Highway 4 to North Chelmsford and return over the same route, serving all intermediate points; between North Chelmsford and Forge Village, Mass., from North Chelmsford over unnumbered highway via Graniteville, Mass., to Forge Village and return over the same route, serving all intermediate points; between Maynard and Hudson, Mass., from Maynard over Massachusetts Highway 62 to Hudson and return over the same route, serving all intermediate points; between junction Massachusetts Highway 125 and Massachusetts Highway 28 and North Andover, Mass., from junction Massachusetts Highways 125 and 28 over Massachusetts Highway 125 to North Andover and return over the same route, serving all intermediate points; between Boston and Manchester, N.H., from Boston over U.S. Highway 3 to junction Massachusetts Highway 3A, thence over Massachusetts Highway 3A via Billerica, Lowell, and North Chelmsford, Mass., to junction U.S. Highway 3 and thence over U.S. Highway 3 via Nashua, N.H., to Manchester and return over the same route, serving all intermediate points; between Reading, Mass., and Manchester, N.H., from Reading over Massachusetts Highway 28 to the Massachusetts-New Hampshire State line and thence over New Hampshire Highway 28 to Manchester and return over the same route, serving all intermediate points; between Raymond and Fremont, N.H., from Raymond over New Hampshire Highway 107 to Fremont and return over the same route, serving all intermediate points;

between Nashua and Wilton, N.H., from Nashua over New Hampshire Highway 101A to Milford, N.H., and thence over New Hampshire Highway 101 to Wilton and return over the same route, serving all intermediate points;

Between Winchendon, Mass., and Brattleboro, Vt., from Winchendon over Massachusetts Highway 12 to the Massachusetts-New Hampshire State line, thence over New Hampshire Highway 12 to Keene, N.H., thence over New Hampshire Highway 10 to Winchester, N.H., thence over New Hampshire Highway 119 via Hinsdale, N.H., to the Connecticut River and thence across the Connecticut River to Brattleboro and return over the same route serving all intermediate points; between Winchendon, Mass., and Keene, N.H., from Winchendon over U.S. Highway 202 to Peterborough, N.H., and thence over New Hampshire Highway 101 via Dublin and Marlboro, N.H., to Keene and return over the same route, serving all intermediate points; between Dublin, N.H., and junction unnumbered highway and New Hampshire Highway 101, from Dublin over unnumbered highway via Harrisville and Chesham, N.H., to junction New Hampshire Highway 101 and return over the same route, serving all intermediate points; between Peterborough and Greenfield, N.H., from Peterborough over U.S. Highway 202 to Tarbell, N.H., and thence over New Hampshire Highway 136 to Greenfield and return over the same route, serving all intermediate points; between Lowell, Mass., and Exeter, N.H., from Lowell over Massachusetts Highway 110 to Lawrence, Mass., thence over unnumbered highway to junction Massachusetts Highway 125, thence over Massachusetts Highway 125 to Haverhill, Mass., thence over Massachusetts Highway 110 to junction Massachusetts Highway 108, to the Massachusetts-New Hampshire State line and thence over New Hampshire Highway 108 to Exeter and return over the same route, serving all intermediate points and off-route points of Merrimac, Mass., and Atkinson, N.H.;

Between Boston, Mass., and Buxton, Maine, from Boston over U.S. Highway 1 via Cambridge, Somerville, Everett, Malden, Melrose, Saugus, Lynnfield, Peabody, Danvers, Newburyport, and Salisbury, Mass., Hampton and Portsmouth, N.H., and Wells, Maine, to Portland, Maine, thence over Maine Highway 25 to Gorham, Maine, and thence over Maine Highway 4 to Buxton and return over the same route, serving all intermediate points; between Everett and Newburyport, Mass., from Everett over Massachusetts Highway 1A via Chelsea, Revere, Saugus, Lynn, Salem, Beverly, and Newbury, Mass., to Newburyport, and return over the same route, serving all intermediate points and the off-route point of Marblehead, Mass.; between Chelsea and Salem, Mass., from Chelsea over Massachusetts Highway 107 via Revere and Saugus, Mass., to Salem and return over the same route, serving all intermediate points and the off-route point of Winthrop, Mass.; between Lynn and

Danvers, Mass., from Lynn over unnumbered highways via Peabody, Mass., to Danvers and return over the same route, serving all intermediate points; between Salem and Peabody, Mass., from Salem over unnumbered highway to Peabody and return over the same route, serving all intermediate points; between Malden and Saugus, Mass., from Malden over Massachusetts Highway 60 to junction unnumbered highway, thence over unnumbered highway via Cliftondale, Mass., to Saugus and return over the same route, serving all intermediate points;

Between Portsmouth and Alton Bay, N.H., from Portsmouth over New Hampshire Highway 16 via Dover, N.H., to junction New Hampshire Highway 16A, thence over New Hampshire Highway 16A via Somersworth, N.H., to junction New Hampshire Highway 16, thence over New Hampshire Highway 16 to Rochester, N.H., thence over New Hampshire Highway 11 to junction unnumbered highway, thence over unnumbered highway via Farmington, N.H., to junction New Hampshire Highway 11 to Alton Bay and return over the same route, serving all intermediate points and the off-route points of East Rochester and Gonic, N.H.; between junction New Hampshire Highway 16 and New Hampshire Highway 16A, near Dover, N.H., and junction New Hampshire Highway 16 and New Hampshire Highway 16A, near Somersworth, N.H., from junction New Hampshire Highways 16 and 16A over New Hampshire Highway 16 to junction New Hampshire Highway 16A and return over the same route, serving all intermediate points; between Rochester and Milton, N.H., from Rochester over New Hampshire Highway 16 to Milton and return over the same route, serving all intermediate points and the off-route points of East Rochester and Gonic, N.H.; between Dover and Barrington, N.H., from Dover over New Hampshire Highway 4 to Barrington and return over the same route, serving all intermediate points; between Ashburnham and South Ashburnham, Mass., from Ashburnham over Massachusetts Highway 101 to South Ashburnham and return over the same route, serving all intermediate points; between Keene and Harrisville, N.H., from Keene over New Hampshire Highway 101 to junction unnumbered highway, thence over unnumbered highway via Chesham, N.H., to Harrisville and return over the same route, serving all intermediate points;

Between Concord and Plymouth, N.H., from Concord over U.S. Highway 3 to Plymouth and return over the same route, serving all intermediate points; between Concord and Laconia, N.H., from Concord over U.S. Highway 4 to junction New Hampshire Highway 106, thence over New Hampshire Highway 106 to Laconia and return over the same route, serving all intermediate points; between Tilton and Ashland, N.H., from Tilton over unnumbered highway (formerly portion of New Hampshire Highway 3B), to Sanbornton, N.H., thence

over New Hampshire Highway 3B to Ashland and return over the same route, serving all intermediate points; between Franklin and Gaza, N.H., from Franklin over New Hampshire Highway 127 to Gaza and return over the same route, serving all intermediate points; between Concord, N.H., and White River Junction, Vt., from Concord over U.S. Highway 4 to White River Junction and return over the same route, serving all intermediate points; between Franklin and Andover, N.H., from Franklin over New Hampshire Highway 11 to Andover and return over the same route, serving all intermediate points; between West Andover and Mascoma, N.H., from West Andover over New Hampshire Highway 4A to Mascoma and return over the same route, serving all intermediate points; between White River Junction, Vt., and Littleton, N.H., from White River Junction over U.S. Highway 5 to Wells River, Vt., thence over U.S. Highway 302 to Littleton and return over the same route, serving all intermediate points; between Manchester and East Weare, N.H., from Manchester over New Hampshire Highway 114 to junction New Hampshire Highway 77 north of Weare, N.H., thence over New Hampshire Highway 77 via North Weare, N.H., to East Weare and return over the same route, serving all intermediate points and the off-route point of New Boston, N.H.;

Between Henniker and North Weare, N.H., from Henniker over New Hampshire Highway 114 to junction unnumbered highway, thence over unnumbered highway to North Weare and return over the same route, serving all intermediate points; between Danbury and Bristol, N.H., from Danbury over New Hampshire Highway 104 to Bristol and return over the same route, serving all intermediate points; between Franklin and Bristol, N.H., from Franklin over New Hampshire Highway 3A to Bristol and return over the same route, serving all intermediate points; between Milton and Intervale, N.H., from Milton over New Hampshire Highway 16 to Intervale and return over the same route, serving all intermediate points and the off-route point of Center Ossipee (Mountainview), N.H.; between West Ossipee, N.H., and junction New Hampshire Highways 113 and 16, from West Ossipee over unnumbered highway to Silver Lake, N.H., and thence over New Hampshire Highway 113 to junction New Hampshire Highway 16 and return over the same route, serving all intermediate points and the off-route point of Center Ossipee (Mountainview), N.H.; between junction New Hampshire Highway 16 and unnumbered highway, north of North Wakefield, N.H., and junction New Hampshire Highways 28 and 16, from junction New Hampshire Highway 16 and unnumbered highway over unnumbered highway to Ossipee, N.H., and thence over New Hampshire Highway 28 to junction New Hampshire Highway 16 and return over the same route, serving all intermediate points and the off-route point of Center Ossipee

(Mountainview), N.H.; between Sanbornville and Wolfeboro, N.H. from Sanbornville over New Hampshire Highway 109 to Wolfeboro Center, N.H., and thence over New Hampshire Highway 28 to Wolfeboro and return over the same route, serving all intermediate points and the off-route point of Center Ossipee (Mountainview), N.H.;

Between Wolfeboro Center and Ossipee, N.H., from Wolfeboro Center over New Hampshire Highway 28 to Ossipee all intermediate points and the off-route point of Center Ossipee (Mountainview), N.H.; between Beverly and Rockport Mass., from Beverly over Massachusetts Highway 22 to junction Massachusetts Highway 123, thence over Massachusetts Highway 128 to junction Massachusetts Highway 127 and thence over Massachusetts Highway 127 via Gloucester, Mass., to Rockport and return over the same route serving all intermediate points; between Beverly, Mass., and junction Massachusetts Highway 127 and Massachusetts Highway 128 from Beverly over Massachusetts Highway 127 to junction Massachusetts Highway 128 and return over the same route, serving all intermediate points; between Littleton and Berlin, N.H., from Littleton over New Hampshire Highway 116 to Whitefield, N.H., thence over U.S. Highway 3 to Groveton, N.H., thence over New Hampshire Highway 110 to Berlin and return over the same route, serving all intermediate points; between Whitefield and Berlin, N.H., from Whitefield over New Hampshire Highway 116 to junction U.S. Highway 2, thence over U.S. Highway 2 to junction New Hampshire Highway 16, thence over New Hampshire Highway 16 to Berlin and return over the same route, serving all intermediate points; between Lancaster, N.H., and junction U.S. Highway 2 and New Hampshire Highway 116 (near Jefferson, N.H.), from Lancaster over U.S. Highway 2 to junction New Hampshire Highway 116 and return over the same route, serving all intermediate points;

Between Intervale, N.H., and junction U.S. Highway 2 and New Hampshire Highway 16, from Intervale over New Hampshire Highway 16 to junction U.S. Highway 2 and return over the same route, serving all intermediate points; between Concord, N.H., and junction U.S. Highway 3 and New Hampshire Highway 28 (near Suncook, N.H.), from Concord over U.S. Highway 3 to junction New Hampshire 28 and return over the same route, serving all intermediate points and the off-route point of Suncook, N.H.; between junction New Hampshire Highway 106 and U.S. Highway 4 and junction U.S. Highway 4 and New Hampshire 28 (near Gossville, N.H.), from junction New Hampshire Highway 106 and U.S. Highway 4 over U.S. Highway 4 to junction New Hampshire 28 and return over the same route, serving all intermediate points; between Rochester, N.H., and junction U.S. Highway 202 and New Hampshire Highway 4 (near Barrington, N.H.), from Rochester over U.S. Highway 202 to junction New Hampshire

Highway 4 and return over the same route, serving all intermediate points; between Leominster and Worcester, Mass., from Leominster over Massachusetts Highway 12 to Worcester and return over the same route, serving all intermediate points; between Westminster and West Boylston, Mass., from Westminster over Massachusetts Highway 140 to West Boylston and return over the same route, serving all intermediate points;

Between Ayer and West Boylston, Mass., from Ayer over Massachusetts Highway 110 to West Boylston and return over the same route, serving all intermediate points; between Holyoke and Athol, Mass., from Holyoke over U.S. Highway 202 to Athol and return over the same route, serving all intermediate points; between East Northfield, Mass., and Winchester, N.H., from East Northfield over Massachusetts Highway 10 to the Massachusetts-New Hampshire State line, thence over New Hampshire Highway 10 to Winchester and return over the same route, serving all intermediate points, and serving Braintree, Mass., in connection with the carrier's regular-route operations at Boston, Mass. NOTE: Applicant states it holds some duplicating authority in Massachusetts and will accept a restriction prohibiting severance of any duplicating by sale or otherwise. Applicant further states that the purpose of this application is to remove restrictions on certain of the rights to be acquired by applicant from Boston and Main Transportation Co. pursuant to the application in No. MC-F-11144. Those restrictions generally limit (1) service to points that are stations on the Boston & Maine Railroad or (2) service supplemental of rail service or to traffic having a prior or subsequent rail move. Certain tacking restrictions are also deleted and the commodity description has been made uniform throughout, eliminating the transportation of explosives and special equipment. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Keene, N.H.

No. MC 32530 (Sub-No. 2), filed July 2, 1971. Applicant: FRED VANGENHEN, JR. (FRED A. VANGENHEN, ADMINISTRATOR), doing business as VANGENHEN AND SON, 1708 South Illinois Street, Belleville, IL 62221. Applicant's representative: Fred Vangenh, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Minerolite*, from St. Louis, Mo., to Belleville, Ill. 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 St. Louis, Mo.

No. MC 32882 (Sub-No. 61), filed July 2, 1971. Applicant: MITCHELL BROS. TRUCK LINES, 3841 North Columbia Boulevard, Box 17039, Portland, OR 97217. Applicant's representatives: Norman E. Sutherland, 1200 Jackson Tower, Portland, Oreg. 97205, and Ellis Chartier (same address as applicant). Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsites and storage facilities of Potlatch Forest Industries, Inc., at Lewiston, Idaho, to points in Spokane County, Wash., ports of entry on the international boundary line between the United States and Canada in the States of Washington and Idaho and points in Oregon and Washington on and west of U.S. Highway 97. NOTE: Applicant states it will tack the requested authority to that issued in Sub 34, wherein it is authorized to serve California and Oregon. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 48441 (Sub-No. 9), filed July 1, 1971. Applicant: CITY EXPRESS, INC., Post Office Box 418, 2006 North Bloomington Street, Streator, IL 61364. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Plymouth, Ind., and the plantsite and/or facilities of Pilgrim Farms, Inc., in Allegan County, Mich., to points in Arkansas, Oklahoma, Texas, Louisiana, Mississippi, Alabama, 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 Chicago, Ill.

No. MC 50493 (Sub-No. 46), filed July 8, 1971. Applicant: P.C.M. TRUCKING, INC., 1063 Main Street, Orefield, PA 18609. Applicant's representative: J. William Cain, Jr., 2001 Massachusetts Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: (1) *Magnesium oxide*, in bulk, from Cape May, N.J., to Philadelphia, Pa.; (2) *bicarbonate of soda*, in bulk, from Syracuse, N.Y., to Philadelphia, Pa.; (3) *cobalt carbonate*, in bulk, from Wilmington, Del., to Philadelphia, Pa.; (4) *manganese oxide and ferrous sulphate*, in containers, from Baltimore, Md., to Philadelphia, Pa.; (5) *feed ingredients*, in containers, from Philadelphia, Pa., to points in Delaware, Maine, New Hampshire, Rhode Island, Vermont, West Virginia, and points in that part of Maryland on and east of a line beginning at the District of Columbia-Maryland State line and extending along U.S. Highway 1 to Baltimore, Md., and thence along U.S. Highway 40 to the Maryland-Delaware State line near Elkton, Md.; and (6) *salt*, from South Lansing, N.Y., to points in Pennsylvania, Delaware, Maryland, Virginia, West Virginia, and New York. NOTE: Applicant also holds contract carrier authority under MC 115859 and subs thereunder, therefore dual operations may be involved. 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 Washington, D.C., or Philadelphia, Pa.

No. MC 51146 (Sub-No. 225), filed June 23, 1971. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street (Post Office Box 2298), Green Bay, WI 54306. Applicant's representatives: D. F. Martin (same address as applicant) and Charles Singer, 33 North Dearborn, Chicago, IL 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Dairy products, from points in Fond du Lac, Sheboygan, Calumet, and Manitowoc Counties, Wis., to points in the United States (except Alaska and Hawaii) and (2) equipment, materials, and supplies and returned shipments, from the destination States outlined in (1) above to points in Fond du Lac, Sheboygan, Calumet, and Manitowoc Counties, Wis. 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, applicant further states it has various duplicative items of authority under various subs, but does not seek duplicative authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52110 (Sub-No. 123), filed July 2, 1971. Applicant: BRADY MOTORFRATE, INC., 2150 Grand Avenue, Des Moines, IA 50312. Applicant's representative: Cecil L. Goettsch, 11th Floor Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and liquid commodities in bulk), from plantsites and storage facilities utilized by Beefland International, Inc., at Council Bluffs, Iowa, and Omaha, Nebr., to points in Pennsylvania, New York, New Jersey, Maryland, and West Virginia, restricted to traffic originating at the plantsite and storage facilities utilized by Beefland International, Inc., at Council Bluffs, Iowa, and Omaha, Nebr. 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, or Omaha, Nebr.

No. MC 53965 (Sub-No. 74), filed July 2, 1971. Applicant: GRAVES TRUCK LINE, INC., 739 North 10th, Salina, KS. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. 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, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 and foodstuffs, when being transported with the above commodities (except commodities in bulk, in tank vehicles and hides), from the plantsite and/or storage facilities of Wilson Certified Foods, Inc., at or near Oklahoma City, Okla., to points in Colorado, Kansas, Missouri, Nebraska, Louisiana, and Texas, restricted to traffic originating at the plantsite and/or storage facilities of Wilson Certified Foods, Inc., at or near Oklahoma City, Okla., and destined to the above-named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 62362 (Sub-No. 4) (Correction), filed May 26, 1971, published in the FEDERAL REGISTER, issue of July 9, 1971, corrected and republished as corrected, this issue. Applicant: ROYAL F. LYON, doing business as LYON TRANSFER, 1366 32d Avenue, Box 131, Columbus, NE 68601. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (a) between Grand Island and Genoa, Nebr., over U.S. Highway 30 to Central City, thence over Nebraska Highway 14 to Fullerton, thence over Nebraska Highway 22 to Genoa, and return over the same route, serving the intermediate point of Fullerton, Nebr., and (b) serving the off-route point of Greeley, Nebr., in connection with applicant's regular route between Albion, Spalding, and Cedar Rapids, Nebr. NOTE: The purpose of this republication is to correctly set forth the origin point in (a) as Grand Island in lieu of Green Island. If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 66101 (Sub-No. 1), filed June 23, 1971. Applicant: AFT SERVICES, INC., 303 South Street, Newark, NJ 07114. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Stewart Air Force Base at or near Newburgh, N.Y., on the one hand, and, on the other, points in New Jersey and

points in Westchester, Nassau, and Suffolk Counties, N.Y., and New York, N.Y., restricted to shipments having a prior or subsequent movement by aircraft. 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 York, N.Y., or Newark, N.J.

No. MC 73688 (Sub-No. 47), filed June 28, 1971. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, Post Office Box 7182, Memphis, TN 38107. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, TN 37201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plywood, from the plantsite of Sumter Plywood Corp., at or near Livingston, Ala., to points in Arkansas, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. 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 Birmingham, Ala.

No. MC 76032 (Sub-No. 286), filed June 28, 1971. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, CO 80223. Applicant's representative: John T. Coon (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, including classes A and B explosives (except household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Barstow, Calif., and Las Vegas, Nev.: From Barstow over Interstate Highway 15 (U.S. Highway 91) to Las Vegas, and return over the same route, serving no intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev., or Los Angeles, Calif.

No. MC 85934 (Sub-No. 62), filed July 8, 1971. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming, Dearborn, MI 48120. Applicant's representative: Martin J. Leavitt, 1800 Buhl Building, Detroit, MI 48226. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Phosphatic fertilizer solution, in bulk, in tank vehicles, from Gary, Ind., to the plantsite of Ford Motor Co., at Dearborn, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 98154 (Sub-No. 11), filed July 2, 1971. Applicant: BRUCE CARTAGE, INCORPORATED, 3460 East Washington Road, Saginaw, MI 48601.

Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt with by retail department stores*, between Saginaw, Mich., and Grand Rapids, Mich., on the one hand, and, on the other, J. C. Penney stores and warehouses located at points in Michigan south of a line beginning at Lake Michigan and extending east along the north boundary of Manistee, Wexford, and Missaukee Counties, thence south along the east boundary of Missaukee County to the north boundary of Clare County, thence east along north boundary of Clare County and the north boundary of Gladwin County to the east boundary of Gladwin County, thence south along the east boundary of Gladwin and Midland Counties to a point due west of Kawkawlin, Mich., thence east along an imaginary line drawn east and west through Kawkawlin, Mich., to Saginaw Bay. Restriction: The operations authorized herein are subject to the following condition: Said operations are restricted against the transportation of traffic to or from stores and warehouses located in Monroe, Washtenaw, Oakland, Macomb, St. Clair, and Wayne Counties, Mich. Said operations are restricted to the transportation of traffic originating at Secaucus and Jersey City, N.J., and Statesville, N.C. **NOTE:** Applicant states it has the authority to transport the commodities requested herein except that the same is restricted against transportation of articles weighing in the aggregate of more than 500 pounds from one consignor at one location to one consignee at one location on any one day except traffic moving from Wauwatosa, Wis., which is not subject to said restriction. The purpose of this application is to eliminate such restrictions insofar as shipments are made to stores and warehouses of J. C. Penney Co. from the points of Secaucus and Jersey City, N.J., and Statesville, N.C. Applicant 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 Lansing or Detroit, Mich.

No. MC 99149 (Sub-No. 9), filed June 28, 1971. Applicant: MIDWAY MOTOR FREIGHT LINES, INC., 822 East Sixth Street, Little Rock, AR 72201. Applicant's representative: Charles J. Lincoln, 1550 Tower Building, Little Rock, AR 72201. 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 or tank trucks and those requiring special equipment, (1) between Texarkana, Texas-Arkansas, and Shreveport-Bossier City, La.; from Texarkana to Shreveport-Bossier City, La., over U.S. Highway 71 and return, serving no

intermediate points, and (2) between Hope, Ark., and Shreveport-Bossier City, La.; from Hope, Ark., over Arkansas State Highway 29 to the Arkansas-Louisiana State Highway 29 to the Arkansas-Louisiana State line, thence over Louisiana State Highway 3 to Shreveport-Bossier City, La., and return, serving no intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Shreveport, La., or Texarkana, Ark.

No. MC 100666 (Sub-No. 193), filed June 28, 1971. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representatives: Wilburn L. Williamson, 280 National Foundation Life Center, 3535 Northwest 58th, Oklahoma City, OK 73112, and Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and fittings* (except oil-field commodities, as described by the Commission in *Mercer Extension-Oilfield Commodities*, 74 M.C.C. 459), from points in Calhoun County, Ark., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Ohio, 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 Little Rock, Ark.

No. MC 102616 (Sub-No. 861), filed July 5, 1971. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, OH 44319. Applicant's representative: Carl E. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry chemicals*, in bulk, from Midland, Bay City, and Ludington, Mich., to points in Connecticut, Massachusetts, New Jersey, and New York; and (2) *liquid chemicals*, in bulk, from Bay City and Ludington, Mich., to points in Connecticut, Massachusetts, New Jersey, New York, and Rhode Island. **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 Detroit, Mich., or Washington, D.C.

No. MC 102806 (Sub-No. 20), filed July 7, 1971. Applicant: PETROLEUM TRANSPORTATION, INC., 701 East Davis Street, Post Office Box 399, Gastonia, NC 28052. Applicant's representative: Carl L. Helms (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Tyner, Tenn., to points in Clay County, N.C. (including Hayesville, N.C.). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, appli-

cant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 106497 (Sub-No. 58), filed June 28, 1971. Applicant: PARKHILL TRUCK COMPANY, a corporation, Post Office Box 912, Joplin, MO 64801. Applicant's representative: A. N. Jacobs, Post Office Box 113, Joplin, MO 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Road construction machinery and equipment* as described in Appendix VIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and (2) *parts, attachments, and accessories* of the items in (1) above, between Oklahoma City, Okla., and Canton, S. Dak., on the one hand, and, on the other, points in the United States (except Hawaii); (3) *hydraulic hammers and cutters*, and (4) *parts, attachments, and accessories* of the items in (3) above, between points in Denver, Colo., on the one hand, and, on the other, points in the United States (except Hawaii); (5) *stationary and portable asphalt plants and systems*, and (6) *parts, attachments, and accessories* of the items in (5) above, between Chattanooga, Tenn., on the one hand, and, on the other, points in the United States (except Hawaii); (7) *stationary and portable concrete plants and systems*, and (8) *parts, attachments, and accessories* of the items in (7) above, between Santa Clara, Calif., on the one hand, and, on the other, points in the United States (except Hawaii); (9) *road construction machinery and equipment* as described in Appendix VIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and (10) *parts, attachments, and accessories* of the items in (9) above, between points in the United States (except Hawaii), restricted to traffic originating at or destined to C.M.I. Corp. **NOTE:** Applicant states it holds "size or weight" authority under MC 106497 (Sub-No. 4), and that the requested authority could be tacked where "size or weight" commodities therein are involved, but indicates tacking is not foreseen, and therefore does not identify the points or territories which can be served through tacking. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Denver, Colo.

No. MC 107107 (Sub-No. 411), filed June 25, 1971. Applicant: ALTERMAN TRANSPORT LINES, INC., 12805 Northwest 42d Avenue, Opa-Locka, FL 33054. Applicant's representative: Ford W. Sewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and food materials, and advertising and promotional materials* when related to and moving with foodstuffs and food materials, and *other perishable goods* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from Houston, and San Antonio, Tex.,

and points in Bosque, Collin, Cooke, Dallas, Denton, Ellis, Erath, Fannin, Grayson, Henderson, Hill, Hood, Hunt, Jack, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rains, Rockwall, Somervell, Tarrant, Van Zandt, and Wise Counties, Tex., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Virginia, and the District of Columbia, restricted against the transportation of shipments from Fort Worth and Dallas, Tex., and points in their commercial zones, to points in Florida. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant also states the commodity listed as "other perishable goods" consist of items such as resins, shellacs, drugs, film, blood plasma, etc. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 107295 (Sub-No. 537), filed July 6, 1971. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representatives: Dale L. Cox and Mack Stephenson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings, complete, knocked down, or in sections; and roofing systems including beams, crossmembers, and all parts and accessories used in the installation thereof, from Schriever, La., to points in the United States (except Alaska and 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 New Orleans, La.

No. MC 110563 (Sub-No. 69), filed July 2, 1971. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Post Office Box 747, Sidney, OH 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. 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, pelts, and commodities in bulk), from points in Indiana, Illinois, Missouri, Wisconsin, and Nebraska to the Armour-Dial, Inc., plant at 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 Des Moines, Iowa, or Chicago, Ill.

No. MC 111170 (Sub-No. 164), filed June 24, 1971. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, AR 71730. Applicant's representative: Don A. Smith, Post Office Box 43, Fort Smith, AR 72901. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes,

transporting: *Vinyl bromide, from Bromet, Ark., to Decatur, Ala.; Houston, Tex.; New Orleans and Luling, La.* **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 113828 (Sub-No. 192), filed July 6, 1971. Applicant: O'BOYLE TANK LINES, INCORPORATED, Post Office Box 30006, 5320 Marinelli Drive, Industrial Park, Rockville, MD 20852, Washington, D.C. 20014. Applicant's representatives: William P. Sullivan, Federal Bar Building West, 1819 H Street NW., Washington, DC 20006, and John P. Grimm (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal and vegetable oils and fats, in bulk, between points in Rockingham County, Va., on the one hand, and, on the other, points in 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 Washington, D.C.

No. MC 114004 (Sub-No. 103), filed July 2, 1971. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, AR 72209. Applicant's representative: W. G. Chandler, (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, in sections, mounted on undercarriages in initial movements, from points in Marion and Winston Counties, Ala., to points in the United States including Alaska, but excluding 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 Birmingham, Ala.

No. MC 114211 (Sub-No. 157), filed June 23, 1971. Applicant: WARREN TRANSPORT, INC., 324 Manhard, Post Office Box 420, Waterloo, IA 50704. Applicant's representative: Charles W. Singer, Suite 1625, 33 North Dearborn, Chicago, IL 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors (except those with vehicle beds, bed frames, and fifth wheels); (2) equipment designed for use on conjunction with tractors; (3) agricultural, industrial, and construction machinery and equipment; (4) attachments for the above-described commodities; (5) internal combustion engines; (6) parts of the above commodities when moving in mixed loads with such commodities; and (7) materials, equipment, and supplies used in the manufacture and distribution of the commodities described in (1) through (6) above, from*

the plant and warehouse sites of J. I. Case Co. at or near Racine, Wis., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114835 (Sub-No. 13), filed June 10, 1971. Applicant: SOO LINE RAILROAD COMPANY, a corporation, Soo Line Building, Minneapolis, MN 55440. Applicant's representative: C. Harold Peterson, 804 Soo Line Building, Minneapolis, MN 55440. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities, in trailers or containers, in substituted motor for rail service which is auxiliary to or supplemental of applicant's rail service, and involves a prior or subsequent movement by rail; (1) between Stevens Point, and Nekoosa, Wis.: From Stevens Point over U.S. Highway 51 to Plover, thence over Wisconsin State Highway 54 to Wisconsin Rapids, thence over Wisconsin State Highway 73 to Nekoosa, Wis., serving the intermediate points of Wisconsin Rapids and Port Edwards, Wis.; and (2) between Waukesha and Milwaukee, Wis.: From Waukesha over U.S. Highway 18 to Milwaukee; (a) alternate route; from Waukesha over U.S. Highway 18 to its junction with Interstate 94, thence over Interstate 94 to Milwaukee; (b) alternate route; from Waukesha over Wisconsin State Highway 59 to Milwaukee.* Applicant states it seeks authority to operate in both directions over all highways listed above and that it shall not serve any point not a station on its line of railroad. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 115113 (Sub-No. 25), filed June 7, 1971. Applicant: IOWA PACKERS XPRESS, INC., Post Office Box 231, Spencer, IA 51301. Applicant's representative: Bill Husby (same address as applicant). 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 of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the plantsites and warehouse facilities utilized by American Beef Packers, Inc., located at/or near Omaha and Fremont, Nebr., and Oakland, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of*

Columbia. Restriction: The service proposed herein is restricted to the transportation of traffic originating at the above-named origin points and destined to the above-named destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 115841 (Sub-No. 413), filed July 6, 1971. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 168, Concord, TN 37720. Applicant's representatives: Roger M. Shaner (same address as applicant) and E. Stephen Heisley, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anti-acid mints, gum, cough drop and foodstuffs*, from points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island to points in Arkansas, Arizona, California, Louisiana, New Mexico, Oklahoma, Oregon, Texas, and Utah. 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 Chicago, Ill.

No. MC 116763 (Sub-No. 200), filed June 30, 1971. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, OH 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*, from Franklin, Va.; Chillicothe, Ohio; Millers Falls, Holyoke, and Adams, Mass.; Brainerd and Cloquet, Minn., to Miami, Fla. NOTE: Applicant states tacking possibilities may exist but it does not intend to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 117606 (Sub-No. 2), filed June 21, 1971. Applicant: WEBB TRANSFER LINE, INC., Box 231, Shelbyville, KY 40065. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, classes A and B explosives, articles of unusual value, re-dried tobacco, empty tobacco containers, knocked down or assembled, tobacco handling and testing equipment and agricultural products, commodities in bulk, and those which because of size

or weight require the use of special equipment), restricted to those declared surplus commodities by an agency of the U.S. Government, from U.S. Government installations and holding agencies for U.S. Government property at points in Arizona, California, Connecticut, Delaware, Florida, Idaho, Kansas, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Texas, Utah, Vermont, Washington, Wisconsin, and Wyoming to points in Kentucky. Restriction: The above-described operations are limited to a transportation service to be performed under a continuing contract, or contracts with the Commonwealth of Kentucky, Department of Education, Division of Surplus Property. NOTE: Applicant holds common carrier authority under MC 76264 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 117940 (Sub-No. 54) (Amendment), filed June 30, 1971, published in the FEDERAL REGISTER, issue of July 22, 1971, and republished as amended, this issue. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, MN 55359. Applicant's representative: Marshall Becker, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products*; (1) from Bethlehem, Pa., to Los Angeles and Oakland, Calif.; Denver, Colo.; Chicago, Ill.; Waterloo, Iowa; Minneapolis, Minn.; Omaha, Nebr.; Dallas, Tex.; and Seattle, Wash.; and (2) from New York, N.Y., to points in Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 114789 and subs thereunder, therefore, dual operations and common control may be involved. The purpose of this republication is to re-describe the authority sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 118263 (Sub-No. 48), filed July 1, 1971. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, Ind. 47130. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats*, cooked, cured, or preserved, with or without vegetables, milk, egg, or fruit ingredients other than frozen (excluding hides and commodities in bulk, in tank vehicles), from the plantsite and warehouse facilities of Armour-Dial, Inc., located at Fort Madison, Iowa, to points in Illinois, Ohio, West Virginia, and Tennessee, restricted to traffic originating

at the plantsite and warehouse facilities of Armour-Dial, Inc., at Fort Madison, Iowa, and destined to points in the States named; and (2) *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, from points in the States of Illinois, Indiana, Minnesota, and Missouri to the plantsite and warehouse facilities of Armour-Dial, Inc., located at Fort Madison, Iowa, restricted to traffic originating within the States named and destined to the plantsite and warehouse facilities of Armour-Dial, Inc., at Fort Madison, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Louisville, Ky.

No. MC 118745 (Sub-No. 11), filed July 7, 1971. Applicant: JOHN PFROMMER, INC., Post Office Box 307, Douglassville, PA 19518. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, from the plantsites and warehouses of G. & W. H. Corson, Inc., at or near Plymouth Meeting, Pa., to points in Maryland, Delaware, Virginia, and the District of Columbia. Restriction: The operation authorized herein is limited to a transportation service to be performed under a continuing contract, or contracts, with G. & W. H. Corson, Inc., of Plymouth Meeting, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 118806 (Sub-No. 17), filed July 6, 1971. Applicant: ARNOLD BROS. TRANSPORT, LTD., 1101 Dawson Road, Winnipeg 6, MB, Canada. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Tractors* with or without attachments (except truck tractors); (2) *agricultural machinery and implements*; (3) *attachments* designed for use with the above commodities; and (4) *parts* of the above-described commodities when moving in mixed loads with such commodities, from the ports of entry on the international boundary line between the United States and Canada located in Michigan and New York to points in the United States (except points in Washington, Oregon, Nevada, California, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, and Montana); and (B) (1) *tractors* with or without attachments (except truck tractors); (2) *agricultural machinery and implements*; (3) *internal combustion engines*; (4) *attachments* designed for use with the above commodities; and (5) *parts* of the above-described commodities when moving in mixed loads with such commodities, from Hopkins and Minneapolis, Minn., to the ports of entry on the international boundary line between

the United States and Canada located in Michigan and New York. **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 119619 (Sub-No. 59), filed July 12, 1971. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43d Street, Chicago, IL 60609. Applicant's representative: Arthur J. Piken, 1 Lefrak City Plaza, Suite 1515, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from Goshen and Noblesville, Ind., to points in Nebraska, Minnesota, Iowa, Missouri, Wisconsin, Ohio, Pennsylvania, West Virginia, Virginia, Maryland, Delaware, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, 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 Chicago, Ill.

No. MC 119619 (Sub-No. 60), filed July 12, 1971. Applicant: DISTRIBUTOR SERVICE CO., a corporation, 2000 West 43d Street, Chicago, IL 60609. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, NY 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Edible meats, canned goods, glands, gelatins, tails, vegetables, oils, and vegetable oil shortening, and dairy products* (except in bulk), in vehicles equipped with mechanical refrigeration, from points in the St. Paul-Minneapolis, Minn., commercial zone, St. Cloud, St. Charles, Albert Lea, Faribault, Twin Lakes, and Worthington, Minn., and Portage, Marshfield, and Monroe, Wis., to points in Ohio, Indiana, and the Lower Peninsula of Michigan; and (2) *food stuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from Fairmont, Minn., to points in Ohio, Indiana, and the Lower Peninsula of Michigan, restricted to the transportation and traffic originating at the plant and warehouse facilities of or utilized by Armour Food Co. at the named origin points and destined to the points named. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119789 (Sub-No. 79), filed July 1, 1971. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, TX 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: *Foodstuffs and preservatives* (other than frozen), from Chambersburg and Pittsburgh, Pa., and Bowling Green and Fremont, Ohio, to points in Texas, Oklahoma, Louisiana, and Arkansas. **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., Dallas, Tex., or Washington, D.C.

No. MC 119789 (Sub-No. 80), filed July 11, 1971. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, TX 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: *Wheels, cogs, gears, or pinions*, from Lafayette, Ind., to San Jose, Calif. **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., Dallas, Tex., or Washington, D.C.

No. MC 123048 (Sub-No. 197), filed July 8, 1971. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, WI 53401. Applicant's representatives: Paul C. Gartzke, 121 West Doty Street, Madison, WI 53703, and Paul L. Martinson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except those with vehicle beds, bed frames, and fifth wheels); (2) *equipment* designed for use in conjunction with tractors; (3) *agricultural, industrial, and construction machinery and equipment*; (4) *attachments* for the above-described commodities; (5) *internal combustion engines*; (6) *parts* of the above-described commodities when moving in mixed loads; and (7) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities described in (1) through (6) above, from the plant and warehouse sites of J. I. Case Co. at or near Racine, Wis., to points in the United States (except 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 123323 (Sub-No. 5), filed June 28, 1971. Applicant: ALASKA TRANSFER, INC., 330 West Ninth Street, Juneau, AK 99801. Applicant's representative: James B. Bradley, Post Office Box 1211, Juneau, AK 99801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value and classes A and B explosives), between Haines and Juneau, Alaska, on the one hand, and, on the other, Seattle,

Wash. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority under MC 123323, and Subs 1 and 3 thereunder. If a hearing is deemed necessary, applicant requests it be held at Juneau, Alaska.

No. MC 123502 (Sub-No. 35), filed June 28, 1971. Applicant: FREE STATE TRUCK SERVICE, INC., 10 Vernon Avenue, Glen Burnie, MD 21061. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement mill waste and stack dust* (except fly ash), in bulk, for pollution control or recycling purposes, between points in Maryland, Virginia, Pennsylvania, Delaware, and West Virginia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123987 (Sub-No. 2), filed April 19, 1971. Applicant: JEWETT SCOTT TRUCK LINE, INC., Post Office Box 263, Mangum, OK 73354. Applicant's representative: Grady L. Fox, 222 Amarillo Building, Amarillo, TX 79101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Gypsum wallboard and plaster, lumber, joint treatment, and roofing*, from points in Jackson County, Okla., to points in Arkansas, Louisiana, Texas, Missouri, Illinois, Nebraska, Kansas, Colorado, New Mexico, Arizona, and Tennessee; (B) *raw materials* (rolls of paper, grain, flour, potash, glue, lignin pitch) used in manufacturing of gypsum wallboard, from points in Arkansas, Louisiana, Texas, Missouri, Illinois, Nebraska, Kansas, Colorado, New Mexico, Arizona, and Tennessee, to points in Jackson County, Okla.; (C) *lumber*, from points in Colfax County, N. Mex., to points in Oklahoma and Texas, and (2) *lumber* from points in Marion County, Tex., to points in Oklahoma. **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 Amarillo, Tex., or Oklahoma City, Okla.

No. MC 126838 (Sub-No. 7), filed June 28, 1971. Applicant: EARNEST J. RUSH, JR., doing business as CLARENCE F. GUTHRIE HAULING SERVICE, Rural Delivery No. 2, Box 341, Canonsburg, PA 15317. Applicant's representative: John A. Pillar, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulverized limestone*, from Benwood, W. Va., to points in Greene and Washington Counties, Pa., Belmont and Harrison Counties, Ohio, and Monongalia County, W. Va. **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 Pittsburgh, Pa.

No. MC 126855 (Sub-No. 4), filed June 23, 1971. Applicant: STERLING TRUCKING, INC., 2 Kenny Place, Saddle Brook, NJ 07662. Applicant's representative: Morris Honig, 150 Broadway, New York, NY 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cans and pails*, from Saddle Brook, N.J., to points in Indiana, Illinois, Michigan, Kentucky, North Carolina, South Carolina, Georgia, New Hampshire, and Vermont; and (2) *corrugated cardboard containers*, from Saddle Brook, N.J., to points in Kentucky, North Carolina, South Carolina, Georgia, and Vermont, under contract with Fein Container Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 127539 (Sub-No. 23), filed June 17, 1971. Applicant: PARKER REFRIGERATED SERVICE, INC., 3533 East 11th Street, Tacoma, WA 98421. Applicant's representative: George R. LaBissoniere, 1424 Washington, Seattle, WA 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Umatilla County, Oreg., and Grant, Benton, Franklin, and Walla Walla Counties, Wash., to points in Oregon, California, and Washington, and Washoe County, Nev. NOTE: Applicant states it intends to tack at various counties in Washington and Oregon to perform a through service between points in Washington, Oregon, and California. Applicant now holds contract carrier authority under its No. MC 124593, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 128375 (Sub-No. 61) (Amendment), filed June 21, 1971, published in the FEDERAL REGISTER, issue of July 22, 1971, and republished in part as amended, this issue. Applicant: CRETE CARRIER CORPORATION, 1444 Main, Post Office Box 249, Crete, NE 68333. Applicant's representative: Richard A. Peterson, 521 South 14th Street (Post Office Box 80806), Lincoln, NE 68501. NOTE: The purpose of this partial republication is to add Mississippi as a destination State.

No. MC 128404 (Sub-No. 3), filed July 6, 1971. Applicant: BLACKWOOD CRANE & TRUCK SERVICE, INC., 104 Busbee Road, Knoxville, TN 37920. Applicant's representative: James N. Clay, III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, iron and steel products, refractory products, and items used or useful in the production of iron, steel, and iron and steel products*, between points in Loudon, Knox, and Anderson Counties, Tenn., on the one hand, and, on the

other, Arkansas, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Kentucky, Ohio, Missouri, Indiana, Illinois, Michigan, and Pennsylvania. 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 Knoxville, Tenn.

No. MC 128539 (Sub-No. 5), filed July 1, 1971. Applicant: EAGLE TRANSPORT CORPORATION, 315 West Ridge Street, Post Office Box 4508, Rocky Mount, NC 27801. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, KY 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boards made from wood using wood chips, wood shavings or wood fiber, alone or in combination; with or without added binder; with surface unfinished or finished with decorative or protective materials and with or without accessories and supplies used in the installation and/or application thereof*, from points in Nash County, N.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, West Virginia, and the District of Columbia; and (2) *materials, equipment, and supplies used in the manufacture and distribution of the commodities described in (1) above*, from points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, West Virginia, and the District of Columbia, to points in Nash County, N.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 Chicago, Ill., or Washington, D.C.

No. MC 133655 (Sub-No. 47), filed July 6, 1971. Applicant: TRANS-NATIONAL TRUCK, INC., Post Office Box 4168, Amarillo, TX 79105. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C of appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Beefland International's plantsite at Council Bluffs, Iowa, and storage facilities, 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. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 133655 (Sub-No. 48), filed July 6, 1971. Applicant: TRANS-NATIONAL TRUCK, INC., Post Office Box 4168, Amarillo, TX 79105. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Guymon, Okla., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, 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 Amarillo, Tex.

No. MC 133777 (Sub-No. 5) (Amendment), filed March 24, 1971, published in the FEDERAL REGISTER, issue of April 22, 1971, and republished as amended, this issue. Applicant: METAL CARRIERS, INC., 400 West Main Street, Dallas, TX 75208. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap, nonferrous metals*, between points in Texas, on the one hand, and, on the other, points in Indiana, Kentucky, Mississippi, Alabama, and Louisiana. NOTE: Applicant states that the requested authority can be tacked with its existing authority, but applicant has no present intention to tack and therefore does not identify the points or territory 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. The purpose of this republication is to reflect the change in the territorial scope of the application. If a hearing is deemed necessary, applicant requests it be held at Fort Worth or Houston, Tex.

No. MC 134145 (Sub-No. 6), filed July 6, 1971. Applicant: NORTH STAR TRANSPORT, INC., Post Office Box 51, Thief River Falls, MN 56701. Applicant's representative: Robert P. Sack, Post Office Box 6010, West St. Paul, MN 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Snowmobiles and motorbikes and accessories*, from Roseau and Thief River Falls, Minn., to Anchorage, Alaska, under contract with Arctic Enterprises, Inc., and Polaris Industries.

Note: If a hearing is deemed necessary, applicant requests it be held at Minneapolis-St. Paul, or Duluth, Minn.

No. MC 134145 (Sub-No. 7), filed July 13, 1971. Applicant: NORTH STAR TRANSPORT, INC., Post Office Box 51, Thief River Falls, MN 56701. Applicant's representative: Robert P. Sack, Post Office Box 6010, West St. Paul, MN 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and equipment used in the manufacture of snowmobiles, boats, motorbikes, and racing vehicles* (except commodities in bulk), from points in California, Colorado, Connecticut, Idaho, Iowa, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Texas, Washington, and Wisconsin, to Moorhead, Minn., under contract with Arctic Enterprises, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 134353 (Sub-No. 2), filed July 6, 1971. Applicant: PFEIFER TRANSFER CO., a corporation, 206 North Warpole Street, Upper Sandusky, OH 43351. Applicant's representative: Paul F. Berry, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated structural steel and iron*, between Bellefontaine, Ohio, on the one hand, and on the other, points in Ohio, Indiana, Illinois, Kentucky, West Virginia, Virginia, Pennsylvania, Tennessee, Maryland, New York, Wisconsin, and points in Michigan south of U.S. Highway 21, under contract with Carter Steel & Fabricating Co. Note: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 134368 (Sub-No. 3), filed June 25, 1971. Applicant: NATIONAL RENTAL SERVICE OF OSHKOSH, INC., Wittman Field, Oshkosh, Wis. 54901. Applicant's representative: E. J. Gerrity, Post Office Box 914, Appleton, WI 54911. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Outagamie County Airport, Appleton, Wis., and points in Calumet, Dodge, Fond du Lac, Green Lake, Marquette, Outagamie, Waupaca, Waushara, and Winnebago Counties, Wis., on shipments having a prior or subsequent movement by air. 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) Milwaukee, Wis.; (2) Madison, Wis.; or (3) Chicago, Ill.

No. MC 134536 (Sub-No. 2), filed July 14, 1971. Applicant: ETTLES ALLEN HENRIES, doing business as CAROLINA SEAFOOD COMPANY, Main Street, Aurora, NC 27806. Applicant's representative: T. R. Thompson, Jr., North Carolina 33 bypass, Aurora, N.C. 27806. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Materials and supplies* used in shipping and packing seafood, including but not limited to boxes, cans, lids, crates, and binders, from Baltimore, Md., to points in that part of North Carolina east of U.S. Highway 17. 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 Raleigh or Washington, N.C.

No. MC 135004 (Sub-No. 2), filed July 1, 1971. Applicant: GRIFFIN MOBILE HOME TRANSPORTING COMPANY, a corporation, 3002 South Douglas Boulevard, Oklahoma City, OK 73150. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, OK 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles and *modular buildings*, from points of origin (which are points of manufacture) in Logan County, Okla., to points in the United States (except Alaska and 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 Oklahoma City, Okla., Dallas, Tex., or Washington, D.C.

No. MC 135262 (Sub-No. 1), filed June 28, 1971. Applicant: VERNON E. RADATZ, Box 16, Rural Route No. 1, Byron, IL 61010. Applicant's representative: William C. Jackson, 611 Illinois National Bank Building, Rockford, Ill. 61101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed for livestock or poultry*, in bulk or bags, between Janesville, Wis., and points in Ogle County, Ill. 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 Rockford, Ill., or Chicago, Ill.

No. MC 135352 (Sub-No. 1), filed July 2, 1971. Applicant: VANDER HART TRANSFER & STORAGE, INC., 1207 Franklin Street, Pella, IA 50219. Applicant's representative: Kenneth F. Dudley, 611 Church Street, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tires*, from Memphis, Tenn., to Pella, Iowa, under contract with Schiebout Tire Co., Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 135468 (Sub-No. 2), filed July 5, 1971. Applicant: N. S. TRUCKING, INC., 58-53 246 Crescent, Douglaston, NY 11363. Applicant's representative: Hylan Cooper, 450 Seventh Avenue, New York, NY 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles*, between the office and warehouse facilities of Sacks Woolen Co., Inc., at East Hills, Long Island, N.Y., on

the one hand, and, on the other, points in the New York, N.Y., commercial zone, on traffic having a prior or subsequent out of State movement. 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 York, N.Y.

No. MC 135512 (Sub-No. 1), filed July 7, 1971. Applicant: BUCK TRUCKING CORPORATION, 9314 Southwest 35th Avenue, Portland, Multnomah County, OR 97219. Applicant's representative: Seymour L. Coblens, 510 Corbett Building, Portland, Ore. 97204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, and crushed rock*, between points in Multnomah County, Ore., and points in Clark County, Wash., under contract with Willamette Hi-Grade Concrete Co. Note: If a hearing is deemed necessary, applicant requests it be held at Portland, Ore., or San Francisco, Calif.

No. MC 135582 (Sub-No. 2), filed June 28, 1971. Applicant: JAMES BOND TRUCKING COMPANY, INC., 12 East Hidalgo, Phoenix, AZ 85040. Applicant's representative: Earl H. Carroll, 363 North First Avenue, Phoenix, AZ 85003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete aggregate*, from Wahweap Creek, located approximately 3 miles northeast of Glen Canyon City, Utah, to the site of the Navajo Generating Station located adjacent to Page, Ariz., under contract with Salt River Project. Note: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 135718, filed June 15, 1971. Applicant: BRANDON TRANSFER & STORAGE CO., INC., 2900 Tuxedo Avenue, West Palm Beach, FL. Applicant's representative: John P. Bond, 30 Giralda Avenue, Coral Gables, FL 33134. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel, contractors' machinery and equipment, and articles* requiring specialized handling or rigging because of size or weight; and *containers and trailers containing general commodities* other than self-propelled, whether loaded or empty, between Port Everglades, Fla., located in Broward County, Fla., on the one hand, and, on the other, points in Dade, Broward, and Palm Beach Counties, Fla. Note: If a hearing is deemed necessary, applicant requests it be held at Miami or Fort Lauderdale, Fla.

No. MC 135721 (Correction), filed June 14, 1971, published in the FEDERAL REGISTER issue of July 22, 1971, and republished as corrected this issue. Applicant: BRUCE FIELDS AND GLEN PIATT, a partnership, North Third Street, Union City, TN 38261. Applicant's representative: Glen Piatt (same address as applicants). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasolines, diesel fuel, and kerosene*,

in bulk, in tank vehicles, from the Shell Oil Co. terminal at Paducah, Ky., to the bulk storage facilities of Fields Oil Co., Inc., at Paris, Tenn., restricted to transportation originating at the plantsite of Shell Oil Co. Terminal, Paducah, Ky., and terminating at the destination of Fields Oil Co., Inc., Paris, Tenn., under contract with Fields Oil Co., Inc. NOTE: The purpose of this republication is to show the authority sought as contract in lieu of common and the destination of Paris, Tenn., in lieu of Paris, Tex., as was erroneously published. If a hearing is deemed necessary, applicant requests it be held at Nashville or Memphis, Tenn.

No. MC 135774, filed June 21, 1971. Applicant: PAIGE TRUCKING CORP., 106 John Street, Brooklyn, NY 11201. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Candy and/or confectionery, materials, equipment, and supplies used or useful in the manufacturing and sale of candy and/or confectionery, between Salt Lake City, Utah; Emeryville, Calif.; Hopkins, Minn.; Chicago, Ill.; St. Louis, Mo.; Omaha, Nebr.; Syracuse, N.Y.; Norwood, Mass.; Pittsburgh, Pa.; Moline, Ill.; Jersey City, N.J.; Brooklyn, N.Y.; Farmington, N. Mex.; and Kansas City, Mo.; under contract with Y & S Candies, Inc. of Brooklyn, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.*

No. MC 135784, filed June 28, 1971. Applicant: GABE D. ANDERSON, JR., doing business as BARGE-TRUCK TRANSPORT, Post Office Box 99, Bovina, TX 79007. Applicant's representatives: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. 79101, and Charles F. Avcock, 402 Third Avenue, Farwell, TX 79325. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Commodities*, having a prior or subsequent movement by water, between points in Oklahoma, Texas, Kansas, Missouri, Nebraska, New Mexico, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Oklahoma City, Okla.

MOTOR CARRIER OF PASSENGERS

No. MC 135775, filed June 23, 1971. Applicant: SCHAUMBURG TRANSPORTATION CO., INC., 133 North Roselle Road, Schaumburg, IL 60172. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage and skiing equipment, and musical instruments* in the same vehicles, in charter and special operation; (1) between points in Cook, Du Page, Kane, and McHenry Counties; and (2) between Cook, Du Page, Kane, and McHenry Counties, Ill., on the one hand, and, on the other, points in Indiana, Wisconsin, and Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

APPLICATION FOR FREIGHT FORWARDER

No. FF-410 (SANTA FE AIR FREIGHT COMPANY FREIGHT FORWARDER APPLICATION), filed July 19, 1971. Applicant: SANTA FE AIR FREIGHT COMPANY, a corporation, 80 East Jackson Boulevard, Chicago, IL 60604. Applicant's representative: John C. Palmer, Jr. (same address as applicant). Authority sought under section 410, part IV of the Interstate Commerce Act, for a permit to institute operation as a freight forwarder, in interstate or foreign commerce, through use of the facilities of common carriers by railroad, air, motor vehicle, and express in the transportation of: *General commodities (except explosives (classes A and B), commodities which because of size and weight are not conducive to air shipment, unaccompanied baggage, or motor vehicles)*, between points in the United States and

in international commerce, restricted to shipments having a prior or subsequent movement by air.

APPLICATION FOR WATER CARRIER

No. W-630 (Sub-No. 36) (A. L. MECHLING BARGE LINES, INC.—Extension—PACIFIC COAST), filed July 21, 1971. Applicant: A. L. MECHLING BARGE LINES, INC., 51 North Desplaines Street, Joliet, IL 60431. Applicant's representatives: J. Richard Hommrich (same address as applicant) and S. S. Eisen, 370 Lexington Avenue, New York, NY 10017. By application filed July 21, 1971, applicant seeks a revised certificate to include operations as a common carrier by water, in interstate or foreign commerce, by non-self-propelled vessels with the use of separate towing vessels, in the transportation of *nuclear generating (supply) systems, all component parts thereof, and related equipment*, from Key West, and Tampa, Fla., and New Orleans, La., to ports and points along the Pacific Coast and tributary waterways in California, Oregon, and Washington. NOTE: Applicant seeks no duplicating authority.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130150, filed July 1, 1971. Applicant: PLATT & PLATT, INC., doing business as RUBY PLATT'S PERSONALIZED TRAVEL SERVICE, 6712 Westbrook Road, Baltimore, MD 21215. For a license (BMC-5) to engage in operations as a *broker* at Baltimore, Md., in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, in round-trip all expense tours, in special and charter operations, beginning and ending at Baltimore, Md., and points in Baltimore County, Md., and extending to points in Maryland, Delaware, Pennsylvania, West Virginia, Virginia, New York, New Jersey, and the District of Columbia.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.71-11163 Filed 8-4-71; 8:45 am]

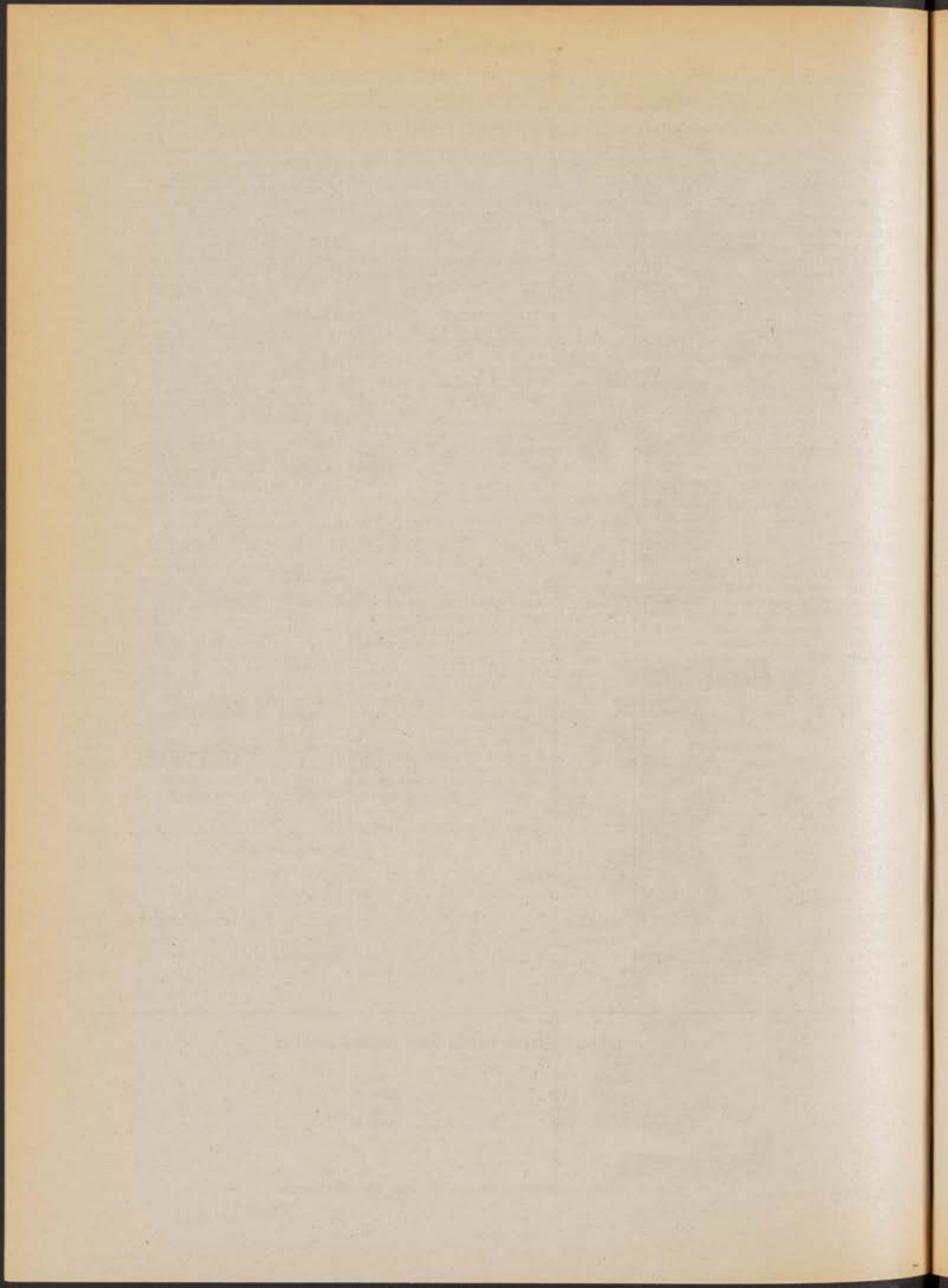
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THURSDAY, AUGUST 5, 1971

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PART II

DEPARTMENT OF THE INTERIOR

Bureau of Mines

■

Coal Mine Health
and Safety Equipment

■

Notice of Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[30 CFR Part 28]

FUSES FOR USE WITH DIRECT CURRENT IN PROVIDING SHORT-CIRCUIT PROTECTION FOR TRAILING CABLES IN COAL MINES

Notice of Proposed Rule Making

Section 306(b) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801, 83 Stat. 742) provides that short-circuit protection for trailing cables used in coal mines shall be provided by an automatic circuit breaker or other no less effective device approved by the Secretary of the Interior.

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under section 508 of the Act, and 36 Stat. 369, as amended, 37 Stat. 681, 30 U.S.C. 3, 5, and 7, it is proposed that Subchapter D of Chapter I, Title 30, Code of Federal Regulations be amended by adding a new Part 28, as set forth below, which prescribes the requirements for testing and approval of fuses for use with direct current in providing short-circuit protection, no less effective than automatic circuit breakers, for trailing cables in coal mines.

Interested persons may submit written comments, suggestions, or objections to the Director, Bureau of Mines, Washington, D.C. 20240, no later than 45 days following publication of this notice in the FEDERAL REGISTER.

ROGERS C. B. MORTON,
Secretary of the Interior.

JULY 28, 1971.

Subpart A—General Provisions

- Sec.
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28.2 Approved fuses.
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28.4 Definitions.

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28.33 Quality control records; review by the Bureau; rescission of approval.

Subpart E—Construction, Performance and Testing Requirements

- Sec.
28.40 Construction and performance requirements; general.
28.41 Testing requirements; general.

AUTHORITY: The provisions of this Part 28 issued under secs. 306(b) and 508 of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801, 83 Stat. 742), and 36 Stat. 369, as amended, 37 Stat. 681, 30 U.S.C. 3, 5, and 7.

Subpart A—General Provisions

§ 28.1 Purpose.

The purpose of the regulations contained in this Part 28 is: (a) To establish procedures and prescribe requirements which must be met in filing applications for the approval of fuses for use with direct current in providing short-circuit protection for trailing cables in coal mines, or the approval of changes or modifications of approved fuses; (b) to specify minimum performance requirements and to prescribe methods to be employed in conducting inspections, examinations, and tests to determine the effectiveness of fuses for use with direct current in providing short-circuit protection for trailing cables in coal mines; and (c) to provide for the issuance of certificates of approval or modifications of certificates of approval for fuses which have met the minimum requirements for performance and short-circuit protection set forth in this part.

§ 28.2 Approved fuses.

On and after _____, fuses shall be considered to be approved for use with direct current in providing short-circuit protection for trailing cables in coal mines only where such fuses are: (1) The same in all respects as those fuses which have been approved after meeting the minimum requirements for performance and short-circuit protection prescribed in this Part 28; and (2) maintained in an approved condition.

§ 28.3 Installation, use, and maintenance of approved fuses.

Approved fuses shall be installed and maintained in accordance with the specifications prescribed by the manufacturer of the fuses, and shall be selected and used in accordance with the standards prescribed for short-circuit protective devices for trailing cables in Part 75, and Part 77, Subchapter O of this chapter.

§ 28.4 Definitions.

As used in this part—

(a) "Applicant" means an individual, partnership, company, corporation, association, or other organization that

* This amendment shall become effective 60 days following the date of promulgation in the FEDERAL REGISTER.

designs, manufactures, assemblies, or fabricates, or controls the design, manufacture, assembly, or fabrication of a fuse, and who seeks to obtain a certificate of approval for such fuse.

(b) "Approval" means a certificate or formal document issued by the Bureau stating that an individual fuse or combination of fuses has met the minimum requirements of this Part 28, and that the applicant is authorized to use and attach an approval label or other equivalent marking to any fuse manufactured, assembled, or fabricated in conformance with the plans and specifications upon which the approval was based, as evidence of such approval.

(c) "Approved" means conforming to the minimum requirements of this Part 28.

(d) "Bureau" means the U.S. Bureau of Mines, Department of the Interior.

(e) "Fuse" means a device, no less effective than an automatic circuit breaker, for use with direct current which provides short-circuit protection for trailing cables in coal mines by interrupting an excessive current in the circuit.

Subpart B—Application for Approval

§ 28.10 Application procedures.

(a) Each applicant seeking approval of a fuse for use with direct current in providing short-circuit protection for trailing cables shall arrange for submission, at his own expense, the number of fuses necessary for testing to Westinghouse Electric Corp., High Voltage Test Laboratory, East Pittsburgh, Pa. 15112, or General Electric Co., High Voltage Laboratory, 7500 Lindbergh Boulevard, Philadelphia, Pa. 19155, or any other nationally recognized independent testing laboratory capable of performing the examination, inspection, and testing requirements of this part.

(b) The applicant shall insure, at his own expense, that the examination, inspection, and testing requirements of this part are properly and thoroughly performed by the independent testing laboratory of his choice.

(c) Upon satisfactory completion by the independent testing laboratory of the examination, inspection, and testing requirements of this part, the results of such examination, inspection, and tests shall be certified by both the applicant and the laboratory and shall be sent for evaluation of such results to the Bureau of Mines, Health and Safety Technical Support Center, 4800 Forbes Avenue, Pittsburgh, PA 15213. Attention: Approval and Testing.

(d) The certified results of the examinations, inspections, and tests required by this part and submitted to the Bureau shall be accompanied by a check, bank draft, or money order in the amount of \$55 for each fuse size and type payable to the order of the U.S. Bureau of Mines.

(e) The certified results of the examinations, inspections, and tests required by this part and submitted to the Bureau for evaluation shall be accompanied by a proposed plan for quality control which meets the minimum requirements set forth in subpart D of this part.

(f) Each applicant shall deliver to the Bureau, at his own expense, three fuses of each size and type which may be necessary for evaluation of the examination, inspection, and test results by the Bureau.

(g) Applicants or their representatives may visit or communicate with Approval and Testing in order to discuss the requirements for approval of any fuse, or to obtain criticism of proposed designs; no charge shall be made for such consultation and no written report shall be issued by the Bureau as a result of such consultation.

Subpart C—Approval

§ 28.20 Certificates of approval; scope of approval.

(a) The Bureau shall issue certificates of approval pursuant to the provisions of this subpart only for individual, completely fabricated fuses which have been examined, inspected, and tested as specified in § 28.10, and have been evaluated by the Bureau to ensure that they meet the minimum requirements prescribed in this part.

(b) The Bureau shall not issue an informal notification of approval.

§ 28.21 Certificates of approval; contents.

(a) Each certificate of approval shall contain a description of the fuse and a classification of its current-interrupting capacity and current rating.

(b) The certificate of approval shall specifically set forth any restrictions or limitations on the use of the fuse in providing short-circuit protection for trailing cables.

(c) Each certificate of approval shall be accompanied by a reproduction of the approval label or marking design, as appropriate, to be employed by the applicant with each approved fuse as provided in § 28.23.

(d) No test data or specific laboratory findings will accompany any certificate of approval, however, the Bureau will release analyses of pertinent test data and specific findings upon receipt of a written request by the applicant.

(e) Each certificate of approval shall reference the quality control plan as specified in § 28.31.

§ 28.22 Notice of disapproval.

(a) If, upon completion of the evaluation by the Bureau required to be conducted in accordance with § 28.10, it is determined that the fuse does not meet the minimum requirements set forth in this part, the Bureau shall issue a written notice of disapproval to the applicant.

(b) Each notice of disapproval shall be accompanied by all available findings

with respect to the defects of the fuse for which approval was sought with a view to the possible correction of any such defects.

(c) The Bureau shall not disclose, except to the applicant upon written request, any data, findings, or other information with respect to any fuse for which a notice of disapproval is issued.

§ 28.23 Approval labels or markings; approval of contents; use.

(a) Full-scale reproductions of approval labels or markings, as appropriate, and a sketch or description of their method of application and position on the fuse, together with instructions for the installation, use, and maintenance of the fuse shall be submitted to the Bureau for approval.

(b) Approval labels shall, where appropriate, bear the seal of the U.S. Bureau of Mines, the applicant's name and address, the restrictions, if any, placed upon the use of the fuse by the Bureau, and an approval number.

(c) Legible reproductions or abbreviated forms of the label or markings approved by the Bureau shall be attached to or printed on each fuse.

(d) Each fuse shall be marked with the rating of the underwriters Laboratories, Inc.

(e) The Bureau shall, where necessary, notify the applicant when additional labels, markings, or instructions will be required.

(f) Approval labels or markings shall only be used by the applicant to whom they were issued.

(g) The use of any Bureau approval labels or marking obligates the applicant to whom it is issued to maintain or cause to be maintained the approved quality control sampling procedure and the acceptable quality level for each characteristic tested, and to guarantee that it is manufactured according to the drawings and specifications upon which the certificate of approval is based.

§ 28.24 Withdrawal of certificates of approval.

The Bureau reserves the right to rescind, for cause, any certificate of approval issued pursuant to the provisions of this part.

§ 28.25 Changes or modifications of approved fuses; issuance of modification of certificate of approval.

(a) Each applicant may, if he desires to change any feature of an approved fuse, obtain a modification of the original certificate of approval issued by the Bureau for such fuse by filing an application for modification in accordance with the provisions of this section.

(b) Applications shall be submitted as specified in § 28.10 for an original certificate of approval, with a request for a modification of the existing certificate to cover any proposed change or modification.

(c) The application for modification, together with the examination, inspection, and tests results prescribed by § 28.10 shall be examined and evaluated

by the Bureau to determine if the proposed modification meets the requirements of this part.

(d) If the proposed modification meets the requirements of this part, a formal modification of approval will be issued, accompanied, where necessary, by reproductions of revised approval labels or markings.

Subpart D—Quality Control

§ 28.30 Quality control plans; filing requirements.

As a part of each application for approval or modification of approval submitted pursuant to this part, each applicant shall file with the Bureau a proposed quality control plan which shall be designed to assure the quality of short-circuit protection provided by the fuse for which approval is sought.

§ 28.31 Quality control plans; contents.

(a) Each quality control plan shall contain provisions for the management of quality, including: (1) requirements for the production of quality data and the use of quality control records; (2) control of engineering drawings, documentations, and changes; (3) control and calibration of measuring and test equipment; (4) control of purchased material to include incoming inspection; (5) lot identification, control of processes, manufacturing, fabrication, and assembly work conducted in the applicant's plant; (6) audit or final inspection of the completed product; and, (7) the organizational structure necessary to carry out these provisions.

(b) Each provision for final inspection in the quality control plan shall include a procedure for the selection of a sample of fuses and the components thereof for testing, developed from MIL-STD-105D, "Sampling Procedures and Tables for Inspection by Attributes," or from MIL-STD-414, "Sampling Procedures and Tables for Inspection by Variables for Percent Defective," or an approved equivalent sampling procedure, or a combination of sampling procedures.

(c) The sampling plan shall include a list of the characteristics to be tested by the applicant or his agent.

(d) The characteristics listed in accordance with paragraph (c) of this section shall be classified according to the potential effect of such defect and grouped into the following classes:

(1) *Critical*. A defect that judgment and experience indicate is likely to result in a condition immediately hazardous to life for individuals depending on the fuse;

(2) *Major A*. A defect, other than critical, that is likely to result in failure to the degree that the fuse does not provide any short-circuit protection, or a defect that reduces protection and is not detectable by the user;

(3) *Major B*. A defect, other than Major A, that is likely to result in reduced short-circuit protection, and is detectable by the user; and

(4) *Minor*. A defect that is not likely to materially reduce the usability of the

fuse for its intended purpose, or a defect that is a departure from established standards and has little bearing on the effective use or function of the fuse.

(e) The quality control inspection test method to be used by the applicant or his agent for each characteristic required to be tested shall be described in detail.

(f) Each item manufactured shall be 100 percent inspected for defects in all critical characteristics and all defective items shall be rejected.

(g) The Acceptable Quality Level (AQL) for each major or minor defect so classified by the applicant shall be:

- (1) Major A—1.0 percent;
- (2) Major B—2.5 percent; and
- (3) Minor—4.0 percent.

(h) Except as provided in paragraph (i) of this section, inspection level II as described in MIL-STD-105, or inspection level IV as described in MIL-STD-414, shall be used for major and minor characteristics and 100 percent inspection for critical characteristics.

(i) Subject to the approval of the Bureau, where the quality control provisions for raw material, processes, manufacturing, and fabrication inspection are adequate to ensure control of finished article quality, destructive testing of finished articles may be conducted at a lower level of inspection than that specified in paragraph (h) of this section.

§ 28.32 Proposed quality control plans; approved by the Bureau.

(a) Each sample quality control plan submitted in accordance with this subpart shall be reviewed by the Bureau to determine its effectiveness in ensuring the quality of short-circuit protection provided by the fuse for which an approval is sought.

(b) If the Bureau determines that the sample quality control plan submitted by the applicant will not ensure adequate quality control, the Bureau shall require the applicant to modify the procedures and testing requirements of the plan prior to approval of the plan and issuance of any certificate of approval.

(c) Approved quality control plans shall constitute a part of and be incorporated into any certificate of approval issued by the Bureau, and compliance with such plans by the applicant shall be a condition of approval.

§ 28.33 Quality control records; review by the Bureau; rescission of approval.

(a) The applicant shall keep quality control inspection records sufficient to carry out the procedures required in MIL-STD-105(d) or MIL-STD-414, or an approved equivalent sampling procedure.

(b) The Bureau reserves the right to have its representatives inspect the applicant's quality control test methods, equipment, and records, and to interview any employee or agent of the applicant in regard to quality control test methods, equipment, and records.

(c) The Bureau reserves the right to rescind, for cause, any certificate of approval where it finds that the applicant's quality control test methods, equipment, or records do not ensure effective quality

control over the fuse for which the approval was issued.

Subpart E—Construction, Performance, and Testing Requirements

§ 28.40 Construction and performance requirements; general.

(a) The Bureau shall issue approvals for fuses for use with direct current in providing short-circuit protection for trailing cables, when such fuses have met the minimum construction, performance, and testing requirements set forth in this subpart.

(b) All fuses submitted to the Bureau for approval shall be designed on sound engineering and scientific principles, constructed of suitable materials, and evidence good workmanship.

(c) Fuses may be single-element or dual-element in type, however they shall be capable of interrupting any current within a range from the ampere rating of the fuse under consideration for approval up to 20,000 amperes.

(d) The Bureau shall accept the fuse ampere rating as specified in the Underwriters Laboratories, Inc., standard for alternating current fuses (UL-198).

(e) Fuses shall be capable of completely interrupting a current within 30 milliseconds after initial current interruption, and shall not show any evidence of restriking after 30 milliseconds.

(f) The blown fuse shall show only superficial damage.

(g) The fuse holder shall remain intact and shall readily accept and retain a replacement fuse.

§ 28.41 Testing requirements; general.

(a) The open circuit voltage of the test circuit shall be 300 volts d.c., or 600 volts d.c., depending on the voltage rating of the fuse being tested.

(b) Time constant of the circuit (defined as $T=L/R$, where T is the time in seconds, L is the inductance in henries, and R is the resistance in ohms) shall be as follows:

- (1) For 10,000 amperes and greater currents, $T=0.016$ seconds or more;
- (2) For 1,000 amperes to 10,000 amperes, $T=0.008$ seconds or more;
- (3) For 100 amperes to 1,000 amperes, $T=0.006$ seconds or more; and
- (4) For less than 100 amperes, $T=0.002$ seconds or more.

(c) Test currents shall be as follows:

- (1) 200 percent of rated current for fuses having less than 200 ampere rating, or 300 percent of rated current for fuses having greater than 200 ampere rating;
- (2) 900 percent of rated current;
- (3) 10,000 amperes; and
- (4) 20,000 amperes.

(d) The voltage shall continue to be applied for at least 30 seconds after completion of circuit interruption.

(e) Five fuses of each case size shall be tested at each test current specified in paragraph (c) of this section, with the value of the fuse being the maximum value for the case size.

(f) Three of each lot of five fuses shall be preconditioned at 95 ± 5 percent R H for not less than 5 days immediately prior

to testing; and the other two fuses of each lot of five shall be preconditioned by heating to 90° C. for 24 hours, and tested within 1 hour after removal from the preconditioning chamber.

(g) At least 3 of each lot of 5 fuses shall be tested in a fuse holder of a trolley-tap type.

[FR Doc.71-11137 Filed 8-4-71; 8:45 am]

[30 CFR Part 29]

PORTABLE COAL DUST/ROCK DUST SAMPLERS, AND CONTINUOUS DUTY, WARNING LIGHT, PORTABLE METHANE DETECTORS FOR USE IN COAL MINES

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under section 508 of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801; 83 Stat. 742), and 36 Stat. 369, as amended, 37 Stat. 681, 30 U.S.C. 3, 5, and 7, it is proposed that Subchapter D of Chapter I, Title 30, Code of Federal Regulations be amended by adding a new Part 29, as set forth below, which prescribes the requirements for testing and approval by the Bureau of Mines of portable coal dust/rock dust samplers, and continuous duty, warning light, portable methane detectors for use in coal mines. Since the incombustible content of combined coal dust, rock dust, and other mine dust is prescribed by section 304(d) of the Federal Coal Mine Health and Safety Act of 1969, a need exists for a portable sampler which can be used to efficiently and accurately measure the incombustible content of mine dusts. In addition, a continuous duty, warning light, portable methane detector capable of being activated by a methane-air mixture having a methane concentration of 1.0 percent ± 0.2 percent, would be a valuable safeguard against loss of life due to methane explosion.

Interested persons may submit written comments, suggestions, or objections to the Director, Bureau of Mines, Washington, D.C. 20240 no later than 45 days following publication of this notice in the FEDERAL REGISTER.

ROGERS C. B. MORTON,
Secretary of the Interior.

JULY 28, 1971.

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AUTHORITY: The provisions of this Part 29 issued under sec. 508 of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801, 83 Stat. 742), and 36 Stat. 369, as amended, 37 Stat. 681, 30 U.S.C. 3, 5, and 7.

Subpart A—General Provisions

§ 29.1 Purpose.

The purpose of the regulations contained in this Part 29 is: (a) To establish procedures and prescribe requirements which must be met in filing applications for the approval of portable coal dust/rock dust samplers for use in measuring the incombustible content of mine dusts, and the approval of continuous duty, warning light, portable methane detectors for use in providing a visual signal of the presence of a methane-air mixture having a methane concentration of 1.0 percent \pm 0.2 percent, or the approval of changes and modifications of approved portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors; (b) to specify minimum performance requirements and to prescribe methods to be employed in conducting inspections, examinations, and tests to determine the effectiveness of these instruments; and (c) to provide for the issuance of certificates of approval or modifications of certificates of approval for portable coal/rock dust samplers and continuous duty, warning light, portable methane detectors which have met the minimum requirements for performance set forth in this part.

§ 29.2 Approved portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors.

On and after ----¹, portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors shall be considered to be approved for use in coal mines where such instruments are: (a) The same in all respects as those portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors which have been approved as meeting the minimum requirements for performance prescribed in this Part 29; and (b) maintained in an approved condition.

§ 29.3 Use and maintenance of approved portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors.

Approved portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors shall be operated and maintained in accordance with the specifications prescribed by the manufacturer of such instruments, and in accordance with the applicable provisions of Part 75 and Part 77, Subchapter O of this chapter.

§ 29.4 Definitions.

As used in this part—

(a) "Applicant" means an individual, partnership, company, corporation, association, or other organization that designs, manufactures, assembles, or fabricates, or controls the design, manufacture, assembly, or fabrication of a port-

able coal dust/rock dust sampler or a continuous duty, warning light, portable methane detector, and who seeks to obtain a certificate of approval for such monitor or detector.

(b) "Approval" means a certificate or formal document issued by the Bureau stating that an individual portable coal dust/rock dust sampler or an individual continuous duty, warning light, portable methane detector has met the applicable minimum requirements of this Part 29, and that the applicant is authorized to use and attach an approval label or plate on any portable coal dust/rock dust sampler or continuous duty, warning light, portable methane detector manufactured, fabricated, or assembled in conformance with the plans and specifications upon which the approval was based, as evidence of such approval.

(c) "Approved" means conforming to the minimum requirements of this Part 29.

(d) "Bureau" means the U.S. Bureau of Mines, Department of the Interior.

(e) "Coal dust" means particles of coal that can pass a No. 20 sieve.

(f) "Coal Mine" means an area of land and all structures, facilities, machinery, tools, equipment, shafts, slopes, tunnels, excavations, and other property, real or personal, placed upon, under, or above the surface of such land by any person, used in, or to be used in, or resulting from, the work of extracting in such area bituminous coal, lignite, or anthracite from its natural deposits in the earth by any means or method, and the work of preparing the coal so extracted, and includes custom coal preparation facilities.

(g) "Coal mine dust" means solid particles with sizes ranging from submicroscopic to microscopic, including but not limited to coal dust and rock dust.

(h) "Continuous duty, warning light, portable methane detector" means a portable, self-contained instrument, containing a red warning light which flashes in the presence of methane-air mixtures having methane concentrations of 1.0 percent \pm 0.2 percent.

(i) "Portable coal dust/rock dust sampler" means a portable, self-contained instrument, capable of indicating the incombustible content of coal mine dust over a range of from 50 percent to 100 percent incombustible.

(j) "Rock dust" means pulverized limestone, dolomite, gypsum, anhydrite, shale, adobe, or other inert material, preferably light colored, 100 per centum of which will pass through a sieve having twenty meshes per linear inch and 70 per centum or more of which will pass through a sieve having two hundred meshes per linear inch; the particles of which when wetted and dried will not cohere to form a cake which will not be dispersed into separate particles by a light blast of air; and which does not contain more than 5 per centum of combustible matter or more than a total of 4 per centum of free and combined silica (SiO₂), or, where the Secretary finds that

¹ This amendment shall become effective 60 days following the date of promulgation in the FEDERAL REGISTER.

such silica concentrations are not available, which does not contain more than 5 per centum of free and combined silica.

(k) "Work of preparing the coal" means the breaking, crushing, sizing, cleaning, washing, drying, mixing, storing, and loading of bituminous coal, lignite, or anthracite, and such other work of preparing such coal as is usually done by the operator of the coal mine.

Subpart B—Application for Approval

§ 29.10 Application procedures.

(a) Inspection, examination, and testing leading to the approval of portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors shall be undertaken by the Bureau only pursuant to written applications which meet the minimum requirements set forth in this Subpart B.

(b) Applications shall be submitted in duplicate to Approval and Testing, Bureau of Mines, 4800 Forbes Avenue, Pittsburgh, PA 15213, and shall be accompanied by a check, bank draft, or money order in the amount specified in Subpart C of this part payable to the order of the U.S. Bureau of Mines.

(c) Except as provided in §§ 29.54, 29.61(e), and 29.76(b), the examination, inspection, and testing of all portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors shall be conducted at Approval and Testing, Bureau of Mines, Pittsburgh, Pa. 15213, or at the Bruceton, Pa. facility of Approval and Testing.

(d) Applicants, manufacturers, or their representatives may visit or communicate with Approval and Testing in order to discuss the requirements for approval of any portable coal dust/rock dust sampler, continuous duty, warning light, portable methane detector or the proposed designs thereof. No charge shall be made for such consultation and no written report shall be issued by the Bureau as a result of such consultation.

§ 29.11 Contents of application.

(a) Each application for approval shall contain a complete written description, including operating instructions in duplicate, of the sampler or detector for which approval is requested together with a set of drawings, in duplicate, showing full details of construction of the instrument.

(b) Drawings shall include title, number, and date; any revision dates shall be shown on the drawings, and the purpose of each revision being sought shall be shown on the drawing or described on an attachment to the drawing to which it applies.

(c) Each application for approval shall contain a proposed plan for quality control which meets the minimum requirements set forth in Subpart E of this part.

(d) Each application shall contain a statement that the sampler or detector has been pretested by the applicant as prescribed in § 29.54.

(e) Where any form of radioactivity is employed in the sampler or detector, the applicant shall submit:

(1) Evidence of compliance with all State regulations with respect to radiation and the use of radioactive materials; and

(2) Evidence of compliance with the requirements set forth in Title 10, Code of Federal Regulations.

§ 29.12 Delivery of samplers and detectors by applicant; requirements.

(a) Each applicant shall, when an application is filed pursuant to § 29.10, deliver at his own expense, three assembled samplers or detectors, less the radioactive source, and component parts, to Approval and Testing, Bureau of Mines, Pittsburgh, Pa. 15213. The radioactive source shall be inserted in the instrument by the applicant following testing of the electrical components of such instrument, if additional testing is deemed necessary.

(b) Samplers, detectors, and component parts submitted for approval must be made from specified materials, on regular production tooling, with no operations included which will not be incorporated in regular production processing.

(c) One completely assembled sampler or detector approved under the provisions of this part may be retained by the Bureau as a laboratory exhibit; the remaining instruments will be returned to the applicant following the issuance of such approval.

(d) Where a sampler or detector fails to meet the requirements for approval set forth in this part, all instruments and components delivered intact in accordance with this section may be returned to the applicant at his own expense, upon written request within 30 days after notice of disapproval.

Subpart C—Fees

§ 29.20 Examination, inspection, and testing of portable coal dust/rock dust samplers, and continuous duty, warning light, portable methane detectors; fees.

Except as provided in § 29.21, the following fees shall be charged by the Bureau for the examination, inspection, and testing of portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors:

(a) Examining and recording drawings and specifications prior to inspection, examination and testing.....	\$110
(b) Intrinsic-safety investigation and test under Part 18 of this chapter (Bureau of Mines Schedule 2G).....	105
(c) Inspection and explosion testing	175

§ 29.21 Additional fees; payment by applicant prior to approval.

(a) The Bureau reserves the right to conduct any examination, inspection, or test it deems necessary to determine the quality and effectiveness of any sampler, detector, or component, and to assess the cost of such examinations, inspections, or tests against the applicant prior to the issuance of any approval for the instrument examined, inspected or tested.

(b) The fees charged for the additional examination, inspection, and

testing of samplers, detectors, and components shall be at the rate of \$100 per day for each man day required to be expended by the Bureau.

(c) Upon completion of all examinations, inspections, and tests of samplers, detectors, and components, the Bureau shall advise the applicant in writing of the total cost assessed and the additional amount, if any, which must be paid to the Bureau as a condition of approval.

(d) The Bureau shall refund any overpayment to the applicant upon the issuance of any approval or notice of disapproval.

Subpart D—Approval

§ 29.30 Certificates of approval; scope of approval.

(a) The Bureau shall issue certificates of approval pursuant to the provisions of this subpart only for individual, completely assembled portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors which have been examined, inspected, and tested, and meet the minimum requirements set forth in Subparts G and H, as applicable.

(b) The Bureau shall not issue an informal notice of approval.

§ 29.31 Certificates of approval; contents.

(a) The certificate of approval shall contain a description of the sampler or detector for which it is issued as provided in this part.

(b) The certificate of approval shall specifically set forth any restrictions or limitations, if any, on use of the instrument.

(c) Each certificate of approval shall be accompanied by a list of drawings and specifications, which shall be incorporated by reference and maintained by the applicant. The plans and specifications listed in each certificate of approval shall set forth in detail the design and construction requirements which shall be maintained by the applicant during commercial production of the instrument.

(d) Each certificate of approval, shall, when necessary, be accompanied by a reproduction of the approval label design to be employed by the applicant with each approved instrument as provided in § 29.33.

(e) No test data or specific laboratory findings will accompany any certificate of approval, however, the Bureau will release pertinent test data and specific findings upon written request by the applicant.

(f) Each applicant shall be required to maintain an exact duplicate of the drawings and specifications incorporated in each certificate of approval in accordance with paragraph (c) of this section.

(g) Each certificate of approval shall also contain a description of or reference to the quality control plan as specified in § 29.42.

§ 29.32 Notice of disapproval.

(a) If, upon the completion of the examinations, inspections, and tests required to be conducted in accordance

with the provisions of this part, it is found that the sampler or detector does not meet the minimum requirements set forth in this part, the Bureau shall issue a written notice of disapproval to the applicant.

(b) Each notice of disapproval shall be accompanied by all pertinent data or findings with respect to the defects of the instrument for which approval was sought with a view to the possible correction of any such defects.

(c) The Bureau shall not disclose, except to the applicant upon written request, any data, findings or other information with respect to any instrument for which a notice of disapproval is issued.

§ 29.33 Approval labels and markings; approval of contents; use.

(a) Samples or full-scale reproductions of approval plates, labels, and markings and a sketch or description of their method of application and position on the instrument, together with instructions for the use and maintenance of the instrument shall be submitted to the Bureau for approval.

(b) Approval labels shall bear the seal of the U.S. Bureau of Mines, the applicant's name and address, the restrictions or limitations placed upon the use of the instrument by the Bureau, an approval number assigned by the Bureau, and other information necessary for identification of the instrument.

(c) The Bureau shall, where necessary, notify the applicant when additional labels, markings or instructions will be required.

(d) Approval labels and markings shall only be used by the applicant to whom they were issued.

(e) Legible reproductions or abbreviated forms of the label approved by the Bureau for use on each sampler and detector shall be affixed, attached to, or printed on the instrument at a location where it can be easily seen.

(f) The use of any Bureau approval label obligates the applicant to whom it is issued to maintain or cause to be maintained the approved quality control sampling schedule and the acceptable quality level for each characteristic tested, and to guarantee that it is manufactured according to the drawings and specifications upon which the certificate of approval is based.

(g) Each sampler and detector shall be labeled distinctly to show the name of the applicant, and the name and letters or numbers by which the instrument is designated for trade purposes, and the serial number or approximate date of manufacture.

§ 29.34 Rescission of certificates of approval.

The Bureau reserves the right to rescind, for cause, any certificate of approval issued pursuant to the provisions of this part.

§ 29.35 Changes or modification of approved samplers and detectors; issuance of modification of certificate of approval.

(a) Each applicant may, if he desires to change any feature of an approved sampler or detector, obtain a modification of the original certificate of approval issued by the Bureau for such instrument by filing an application for such modification in accordance with the provisions of this section.

(b) Applications shall be submitted as for an original certificate of approval, with a request for a modification of the existing certificate to cover any proposed change.

(c) The application shall be accompanied by appropriate drawings and specifications, and by a proposed quality control plan which meets the requirements of Subpart E of this part.

(d) The application for modification, together with the accompanying material, shall be examined by the Bureau to determine whether testing will be required.

(e) The Bureau shall inform the applicant of the fee required for any additional testing and the applicant will be charged for the actual cost of any examination, inspection, or test required, and such fees shall be submitted in accordance with the provisions of Subpart C of this part.

(f) If the proposed change or modification meets the requirements of this part, a formal modification of certification will be issued, accompanied, where necessary, by a list of new and revised drawings and specifications covering the change(s) and reproductions of revised approval labels.

§ 29.36 Delivery of changed or modified approved sampler or detector.

An approved sampler or detector for which a formal modification of certification has been issued shall be delivered by the applicant to the Bureau of Mines, Approval and Testing, 4800 Forbes Avenue, Pittsburgh, PA 15213, as soon as it is commercially produced.

Subpart E—Quality Control

§ 29.40 Quality control plans; filing requirements.

As a part of each application for approval or modification of approval submitted pursuant to this part, each applicant shall file with the Bureau a proposed quality control plan which shall be designed to assure the quality of the instrument for which approval is sought.

§ 29.41 Quality control plans; contents.

(a) Each quality control plan shall contain provisions for the management of quality, including: (1) Requirements for the production of quality data and the use of quality control records; (2) control of engineering drawings, documentations, and changes; (3) control and calibration of measuring and test

equipment; (4) control of purchased material to include incoming inspection; (5) lot identification, control of processes, manufacturing, fabrication, and assembly work conducted in the applicant's plant; (6) audit or final inspection of the completed product; and (7) the organizational structure necessary to carry out these provisions.

(b) Each provision for final inspection in the quality control plan shall include a procedure for the selection of a sample of instruments and the components thereof for testing, developed from MIL-STD-105D, "Sampling Procedures and Tables for Inspection by Attributes," or from MIL-STD-414, "Sampling Procedures and Tables for Inspection by Variables for Percent Defective," or an approved equivalent sampling procedure, or a combination of sampling procedures.

(c) The sampling plan shall include a list of the characteristics to be tested by the applicant or his agent.

(d) The characteristics listed in accordance with paragraph (c) of this section shall be classified according to the potential effect of such defect and grouped into the following classes:

(1) *Critical*. A defect that judgment and experience indicate is likely to result in a condition immediately hazardous to life for individuals using or depending upon the instrument;

(2) *Major A*. A defect, other than critical, that is likely to result in failure to the degree that the instrument does not provide any protection or utility, or a defect that reduces protection or utility and is not detectable by the user;

(3) *Major B*. A defect, other than Major A, that is likely to result in reduced protection or utility, and is detectable by the user; and

(4) *Minor*. A defect that is not likely to materially reduce the utility of the instrument for its intended purpose, or a defect that is a departure from established standards and has little bearing on the effective use or operation of the instrument.

(e) The quality control inspection test method to be used by the applicant or his agent for each characteristic required to be tested shall be described in detail.

(f) Each item manufactured shall be 100 percent inspected for defects in all critical characteristics and all defective items shall be rejected.

(g) The Acceptable Quality Level (AQL) for each major or minor defect so classified by the applicant shall be:

(1) Major A—1.0 percent;
(2) Major B—2.5 percent; and
(3) Minor—4.0 percent.

(h) Except as provided in paragraph (i) of this section, inspection level II as described in MIL-STD-105, or inspection level IV as described in MIL-STD-414, shall be used for major and minor characteristics and 100 percent inspection for critical characteristics.

(i) Subject to the approval of the Bureau, where the quality control plan

provisions for raw material, processes, manufacturing, and fabrication inspection are adequate to ensure control of finished article quality, destructive testing of finished articles may be conducted at a lower level of inspection than that specified in paragraph (h) of this section.

§ 29.42 Proposed quality control plans; approval by the Bureau.

(a) Each sample quality control plan submitted in accordance with this subpart shall be reviewed by the Bureau to determine its effectiveness in ensuring the quality of protection or utility provided by the instrument for which an approval is sought.

(b) If the Bureau determines that the sample quality control plan submitted by the applicant will not ensure adequate quality control, the Bureau shall require the applicant to modify the procedures and testing requirements of the plan prior to approval of the plan and issuance of any certificate of approval.

(c) Approved quality control plans shall constitute a part of and be incorporated into any certificate of approval issued by the Bureau, and compliance with such plans by the applicant shall be a condition of approval.

§ 29.43 Quality control records; review by the Bureau; rescission of approval.

(a) The applicant shall keep quality control inspection records sufficient to carry out the procedures required in MIL-STD-105d or MIL-STD-414, or an approved equivalent sampling procedure.

(b) The Bureau reserves the right to have its representatives inspect the applicant's quality control test methods, equipment, and records, and to interview any employee or agent of the applicant in regard to quality control test methods, equipment, and records.

(c) The Bureau reserves the right to rescind, for cause, any certificate of approval where it finds that the applicant's quality control test methods, equipment, or records do not insure effective quality control over the instrument for which the approval was issued.

Subpart F—General Construction and Performance Requirements

§ 29.50 Construction and performance requirements; general.

(a) The Bureau shall accept applications and issue approvals for portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors which have met the applicable minimum requirements set forth in this Part 29.

(b) In addition to the types of samplers and detectors described in paragraph (a) of this section, the Bureau will accept applications and issue approvals for other portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors; however, the Bureau reserves the right to require, as a condition of such approval, any minimum construction and perform-

ance requirements it deems necessary for approval of such instruments, as specified in § 29.53(b).

§ 29.51 General construction requirements.

All portable coal dust/rock dust samplers and continuous duty, warning light, portable methane detectors accepted by the Bureau for examination, inspection, and testing shall be designed on sound engineering and scientific principles, constructed of suitable materials, and evidence good workmanship.

§ 29.52 Component parts; minimum requirements.

(a) The components of each instrument accepted by the Bureau for examination, inspection, and testing and approved for use where permissibility is required shall meet the requirements for permissibility and intrinsic safety set forth in Part 18, Subchapter D of this chapter (Bureau of Mines Schedule 2G).

(b) The components of each instrument shall be:

(1) Designed and constructed to prevent creation of any hazard to the user; and

(2) Assembled to permit easy access for inspection, cleaning, and repair of functional parts.

(c) Replacements parts shall be constructed to maintain the effectiveness of the instrument.

§ 29.53 Test requirements; general.

(a) Each instrument and its components shall, when tested by the applicant and the Bureau, meet the applicable performance and test requirements set forth in Subparts G and H of this part.

(b) In addition to the minimum requirements set forth in Subparts G and H of this part the Bureau reserves the right to require, as a further condition of approval, any additional or other minimum requirements it deems necessary to establish the quality, effectiveness, and safety of any instrument.

(c) Where it is determined after receipt of an application that additional or other minimum requirements will be required for approval, the Bureau will notify the applicant in writing of these additional requirements stating generally its reasons for imposing additional requirements and conducting additional or other examinations, inspections or tests.

§ 29.54 Pretesting by applicant; approval of test methods by the Bureau.

(a) Prior to any application for approval or modification of approval, the applicant shall conduct, or cause to be conducted, examinations, inspections, and tests of sampler or detector performance which are equal to or exceed the severity of those conducted by the Bureau.

(b) With the application, the applicant shall provide a statement to the Bureau showing the types and results of the examinations, inspections, and tests required under paragraph (a) of this

section and state that the monitor or detector meets the minimum requirements of Subparts G or H of this part, as applicable. Evidence of test results shall be retained on file by the applicant and submitted, upon request, to the Bureau.

(c) Where the Bureau has determined that the examinations, inspections, and tests specified by the applicant are acceptable, the Bureau will prove them in writing.

(d) The Bureau may, upon written request by the applicant, provide drawings and descriptions of its test equipment and otherwise assist the applicant in establishing a test laboratory or securing the services of a testing agency.

§ 29.55 Conduct of examinations, inspections, and tests by the Bureau; assistance by applicants; observers; recorded data; public demonstrations.

(a) All examinations, inspections, and tests conducted pursuant to Subparts G and H of this part will be under the sole direction and control of the Bureau.

(b) The Bureau may as a condition of approval, require the assistance of the applicant or his agents during the assembly, disassembly, or preparation of any instrument or instrument component prior to testing or in the operation of such instrument during testing.

(c) Only Bureau personnel, persons assisting the Bureau pursuant to paragraph (b) of this section, and such other persons as may be mutually agreed upon by the Bureau and the applicant as observers, shall be present during any examination, inspection, or test conducted prior to the issuance of an approval by the Bureau for the instrument under consideration.

(d) Applicants shall be solely responsible for any agent or observer present during any examination, inspection, or test, and each applicant shall hold the Bureau harmless against any claim for damage to the instrument being tested and against any claim for personal injury suffered by any agent of the applicant or observer admitted by mutual agreement.

(e) The Bureau shall hold as confidential any analyses, drawings, specifications, or materials submitted by the applicant and shall not disclose any principles or patentable features of such equipment.

(f) As a condition of each approval issued for any sampler or detector, the Bureau reserves the right, following the issuance of such approval, to conduct such public tests and demonstrations of the approved instrument as it deems appropriate.

§ 29.56 Withdrawal of applications; refund of fees.

(a) Any applicant may, upon a written request submitted to the Bureau, withdraw any application for approval of any sampler or detector.

(b) Upon receipt of a written request for the withdrawal of an application, the

Bureau shall determine the total amount due for services already performed during the course of any examinations, inspections, or tests conducted pursuant to such application. The total amount due shall be determined in accordance with the provisions of § 29.21 and assessed against the fees submitted by the applicant. If the total amount assessed is less than the fees submitted, the Bureau shall refund the balance together with a statement of the charges made for services rendered.

Subpart G—Portable Coal Dust/Rock Dust Samplers; Performance and Testing Requirements

§ 29.60 Minimum performance requirements.

(a) Portable coal dust/rock dust samplers shall be self-contained units, practical in operation, portable, and suitable for service in underground coal mines.

(b) The sampler shall be equipped with a quantitative indicating device that is capable of indicating the incombustible content of coal mine dusts over the range of from 50 percent to 100 percent incombustible.

§ 29.61 Testing requirements.

(a) Portable coal dust/rock dust samplers shall be tested to ensure that they meet the specific requirements set forth in paragraphs (a) (1), (2), (3), and (4), (c) (1) and (2), and (d) (3) of § 22.7 of Part 22, Subchapter D of this chapter (Bureau of Mines Schedule 8C).

(b) The sampling materials listed in Table A shall be used in testing the capability of the indicating device of the portable coal dust/rock dust sampler to measure incombustible content as specified in § 29.60(b) of this part.

(c) The indicating device of the sampler being tested shall be within ± 3.0 percent of the chemically determined incombustible content for 80 percent of the standard samples and inspector's samples listed in Table B.

(d) In preparing sampling materials for testing, all sampling materials shall be:

- (1) Air equilibrated to 0.3–0.6 percent water;
- (2) Mixed in a sigma blade mixer, or the equivalent thereof, only when dry, for not less than 20 minutes and not longer than 30 minutes;
- (3) Moisture will be added, when necessary, in 10 percent excess to allow for evaporation loss, by an atomizing sprayer over a tray sample with a maximum depth of 1 inch, then reblended in a sigma mixer, or equivalent, and equilibrated for at least 1 week;
- (4) Carefully mixed to minimize segregation or degradation;
- (5) Stored in moisture- and air-tight containers to prevent oxidation and drying; and,
- (6) Analyzed for percent incombustible content within ± 1 percent, by chemical analysis.

(e) Each sampler for which an approval is sought shall be subjected to field testing in underground coal mines with varied operating conditions prior to issuance of a certificate of approval.

TABLE A

Specifications for Sampling Materials Used for Coal Dust/Rock Dust Sampler Testing (Percentages by Weight; Particle Size ± 2 percent).

1. Bruceton mine coal, Pittsburgh Seam, 6 percent to 8 percent ash, 100 percent through U.S. No. 100 sieve, 70 percent through U.S. No. 200 sieve.
2. Pocahontas low volatile, low ash coal, 5 percent to 6 percent ash, less than 0.7 percent total sulfur, 70 percent through U.S. No. 200 sieve.
3. Pittsburgh Seam high ash, high sulfur coal, run-of-mine, 100 percent through U.S. No. 20 sieve and 20 percent through U.S. No. 200 sieve.
4. Pyrite, coal-type pyrite, 90 percent or better FeS₂, 70 percent through U.S. No. 200 sieve.
5. MgCO₃, analytical grade, powdered, 70 percent through U.S. No. 200 sieve.
6. Ash, mineral matter content of 50 to 80 percent from preparation plant refuse, less than 5 percent pyrite, 70 percent through U.S. No. 200 sieve.
7. Limestone, West Virginia grade from Morgantown area, 99 percent CaCO₃, 70 percent through U.S. No. 200 sieve.
8. Dolomite, approximately 41 percent MgCO₃, 70 percent through U.S. No. 200 sieve.
9. Gypsum, 46.5 percent CaSO₄·H₂O, 70 percent through U.S. No. 200 sieve.
10. Traction sand, 100 percent through U.S. No. 20 sieve.

TABLE B

Specifications for Standard Samples and Inspectors' Samples Used for Coal Dust/Rock Dust Sampler Testing (Percentages by Weight with Allowable Variations of ± 2 percent)

STANDARD SAMPLES

1. Bruceton coal and limestone to form 55, 65, 75, and 85 percent incombustible (ash and limestone plus 0.3 to 0.6 percent inherent moisture).
2. Bruceton coal and dolomite to 55, 65, 75, and 85 percent incombustibles.
3. Bruceton coal and gypsum to 55, 65, 75, and 85 percent incombustibles.
4. Pocahontas coal and limestone to 55, 65, 75, and 85 percent incombustibles.
5. Pocahontas coal and dolomite to 55, 65, 75, and 85 percent incombustibles.
6. Pittsburgh seam coal and limestone to 55, 65, 75, and 85 percent incombustibles.
7. Pittsburgh seam coal and dolomite to 55, 65, 75, and 85 percent incombustibles.
8. Moisture added to sample 6 of 65 percent incombustibles resulting in 70 percent incombustibles.
9. Moisture added to sample 6 of 55 percent incombustibles resulting in 65 percent total incombustibles.
10. Pyrite added to sample 1 resulting in 56 percent incombustibles.
11. Pyrite added to sample 4 resulting in 66 percent incombustibles.
12. Pyrite added to sample 6 resulting in 76 percent incombustibles.
13. MgCO₃ added to sample 1 resulting in 58 percent incombustibles.
14. MgCO₃ added to sample 2 resulting in 68 percent incombustibles.
15. MgCO₃ added to sample 3 resulting in 78 percent incombustibles.
16. Ash added to sample 6 resulting in 60 percent incombustibles.

17. Ash added to sample 6 resulting in 70 percent incombustibles.
18. A mixture consisting of ash, 45 percent Pittsburgh coal, and 25 percent limestone.
19. Sand added to sample 1 resulting in 60 percent incombustibles.
20. Sand added to sample 1 resulting in 65 percent incombustibles.
21. Sand added to sample 1 resulting in 75 percent incombustibles.
22. Flammable hydraulic oil added to sample 1 resulting in 50 percent incombustibles.
23. Flammable hydraulic oil added to sample 1 resulting in 45 percent incombustibles.

INSPECTORS' SAMPLES

1. A group of 25 samples shall be chosen from samples taken by Bureau inspectors during their regular mine surveys of rock dust sufficiency.
2. The type of rock dust and coal present in the mine from which such samples were taken shall be made available for purposes of calibration.
3. Where the quantity of individual samples is insufficient to supply the sample volume required for testing, composite samples of adequate volume will be used.

Subpart H—Continuous Duty, Warning Light, Portable Methane Detectors; Performance and Testing Requirements

§ 29.70 Minimum performance requirements.

(a) Continuous duty, warning light, portable methane detectors shall be self-contained units, practical in operation, portable and suitable for service in underground coal mines.

(b) The detector shall be equipped with an indicating device that contains a warning light designed and constructed to flash in the presence of a methane-air mixture having a methane concentration of 1.0 percent ± 0.2 percent.

§ 29.71 Warning light; performance requirements.

(a) Warning lights contained in the indicating devices of detectors shall:

- (1) Provide a solid angle of illumination of not less than 180° with respect to the horizontal;
 - (2) If incandescent, employ lamps of no less than 0.2 candlepower; or
 - (3) If light-emitting diodes (LED's), have sufficient intensity to be discernible in the working place of an underground coal mine; and,
 - (4) Be red in color.
- (b) The flash rate of the warning light shall be approximately one flash per second, and the duty cycle shall be sufficiently long to attract attention.

§ 29.72 Accessory quantitative meter; minimum requirements.

(a) In addition to the warning lights described in § 29.71 of this part, an accessory meter may be installed on a continuous duty, warning light, portable methane detector, to serve as a quantitative indicator of the presence of methane.

(b) Where a quantitative accessory meter is installed on a detector, it shall meet the minimum requirements for performance and accuracy set forth in

§ 22.7(d) (2) of Part 22 of this chapter (Bureau of Mines Schedule 8C).

§ 29.73 Operative period.

Detectors shall be tested to insure that they operate effectively over a 10-hour period (a) without requiring battery replacement or recharging, and (b) without loss of initial accuracy.

§ 29.74 Calibration adaptors.

(a) Each detector shall be equipped with an adaptor that checks the overall response of the instrument to a pre-mixed, methane-air mixture, having a

concentration of not less than 1.5 percent or more than 3 percent, by volume.

(b) Adaptors shall be compatible with methane calibrating kits marketed for methane monitor calibration.

§ 29.75 Visual indicator device.

Each detector shall be equipped with a device capable of giving a visual indication of the operative condition of the battery and the electrical circuitry employed in the detector.

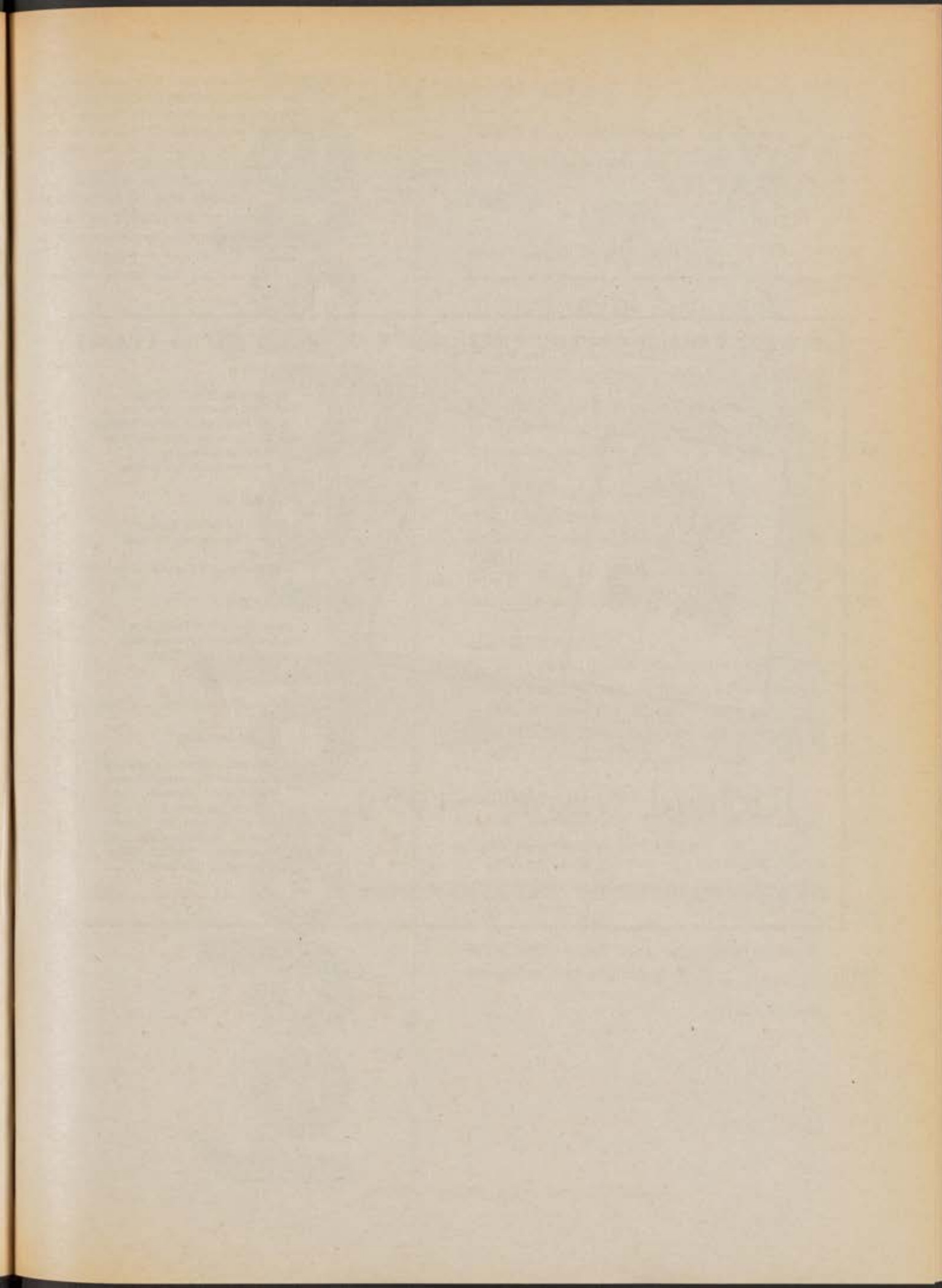
§ 29.76 Testing requirements.

(a) Continuous duty, warning light, portable methane detectors shall be

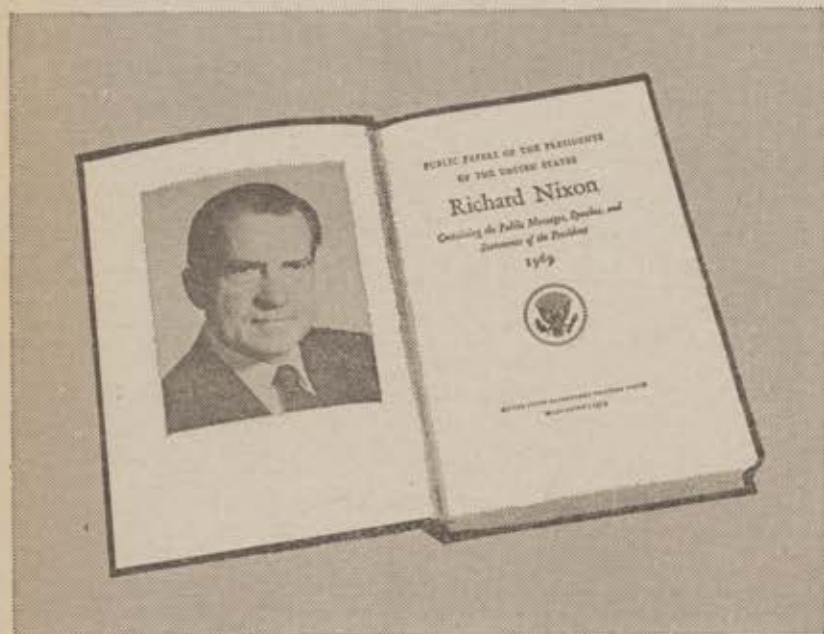
tested to insure that they meet the specific requirements set forth in paragraph (a), subparagraph (b) (1), (3), (4), and (5), and paragraphs (c), and (e) of section 22.7, Subchapter D of this chapter (Bureau of Mines Schedule 8C).

(b) Each detector for which an approval is sought shall be subjected to field testing in underground coal mines with varied operating conditions prior to issuance of a certificate of approval.

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