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PART I

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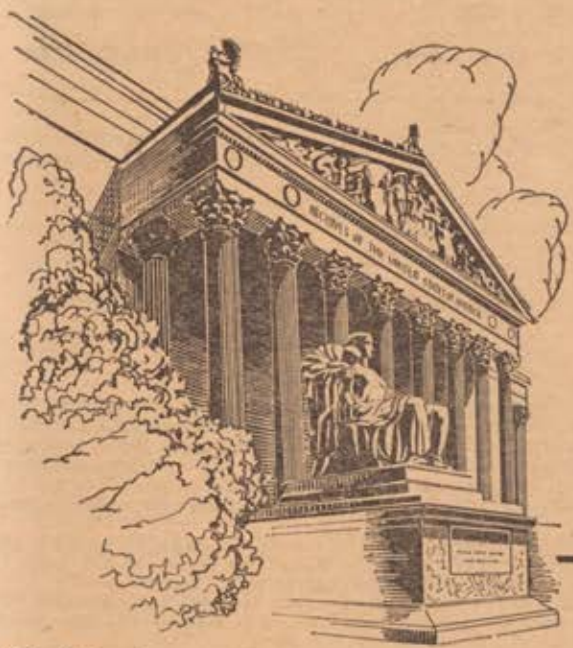

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DESIGNATING THE INTERNATIONAL COFFEE ORGANIZATION AS A PUBLIC INTERNATIONAL ORGANIZATION ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by Section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288), and having found that the United States participates in the International Coffee Organization pursuant to the International Coffee Agreement, 1962 (14 UST 1911; TIAS 5055), I hereby designate the International Coffee Organization as a public international organization entitled to enjoy the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act.

This designation is not intended to abridge in any respect privileges, exemptions, and immunities which the International Coffee Organization may have acquired or may acquire by treaty or congressional action.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 22, 1965.

[F.R. Doc. 65-5624; Filed, May 26, 1965; 9:09 a.m.]

Determination of May 22, 1965

DETERMINATION PURSUANT TO THE INTERNATIONAL COFFEE AGREEMENT ACT OF 1965

Pursuant to section 8 of the International Coffee Agreement Act of 1965 and on the basis of the facts, technical analysis and counsel available to me I hereby determine that, in my judgment, this Act, which provides the implementing authority for the International Coffee Agreement, 1962, will not result in an unwarranted increase in coffee prices to United States consumers. Under the International Coffee Agreement, 1962, importing nations have sufficient voting power on the International Coffee Council, the governing board of the Agreement, to prevent any actions which might lead to an unwarranted increase in the price of coffee to consumers.

In my judgment, the Agreement furnishes a forum for the adjustment of the interests of both producers and consumers. This will serve to encourage stability of coffee prices over the long run.

The Secretary of State is requested to communicate this determination and the reasons therefor to the Congress.

This determination shall be published in the FEDERAL REGISTER.

LYNDON B. JOHNSON

MAY 22, 1965.

[F.R. Doc. 65-5623; Filed, May 26, 1965; 9:08 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 7]

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments, Small Farm Bases and Normal Yields for 1964 and Subsequent Crop Years

MISCELLANEOUS AMENDMENTS

Basis and purpose. The amendments herein are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and are issued for the purposes of (1) amending the dates for the disposal of excess wheat acreage for certain counties and areas in the States of California, Nevada, Texas, and Washington, (2) eliminating adjustment provision number (5) contained in § 728.15a(d) for the 1966 and subsequent crops of wheat, which is adequately covered by § 728.29, (3) revising the definition of wheat cover crop in § 728.10(n) for 1965 when certification of acreage is provided for in Part 718 of this chapter.

The regulations are amended as follows:

1. Section 728.10(q) is amended so as to change the disposal dates for Butte, Colusa, Glenn, Sacramento, Sutter, Yolo, and Yuba Counties in the State of California from May 1 to May 15; Pershing County in the State of Nevada from June 20 to July 15; Armstrong, Carson, Dallam, Deaf Smith, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Oldham, Ochiltree, Potter, Randall, Roberts, and Sherman Counties in the State of Texas from May 1 to May 15; and in the State of Washington, Stevens County, winter wheat from August 1 to July 15, spring wheat from August 20 to August 15, Lincoln County, North Lincoln, winter wheat from July 10 to July 25, South Lincoln, winter wheat from June 30 to July 10.

Section 728.10(q) is further amended by (1) striking out three areas now designated for Klickitat County, Wash., and inserting in lieu thereof the following two areas:

Area 1. That part of Klickitat County west of a line starting at the Columbia River on the township line between ranges 17 and 18, thence north to the township line between townships 3 and 4, then east 5 miles, north 6 miles, east 19 miles to the township line between ranges 21 and 22, thence north to the county line.

Area 2. That part of the county east of the described Area 1.; and (2) showing as disposal dates for Area 1, winter wheat June 30, spring wheat July 15 and for Area 2, winter wheat June 20, spring wheat July 5.

2. Section 728.10(n) is amended by deleting the period at the end of the sentence, inserting a comma in lieu thereof, and adding the following language: "or as applied to the 1965 crop of wheat, when certification by the producer of the acreage of wheat may be accepted in lieu of a farm inspection under Part 718 of this chapter, as amended, not later than the disposal date specified in paragraph (q) of this section or the date of the final wheat acreage reported on Form ASCS–477 for wheat as certified by the producer, whichever is earlier."

3. Section 728.15a(d) is amended by deleting subparagraph (5).

Since the determination of 1965 wheat acreages is now being made, it is important that State and county committees be notified of the amendments herein as soon as possible so that producers with 1965 excess wheat acreage may be notified of the final date for utilization of such excess acreage as wheat cover crop. In addition, 1966 farm allotments are now being determined and information contained in this amendment is necessary with respect to the determination of such allotments. Accordingly, it is hereby found that compliance with the public notice, procedure and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment shall become effective upon its filing with the Director, Office of the Federal Register.

(Secs. 301, 334, 339, 375, 379b, 52 Stat. 38, as amended, 53, as amended, 76 Stat. 622, as amended, 52 Stat. 66, as amended, 76 Stat. 626, sec. 1, 55 Stat. 203, as amended; 7 U.S.C. 1301, 1334, 1339, 1340, 1375, 1379b)

Effective date. Upon filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 24, 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-5570; Filed, May 26, 1965; 8:50 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Honey Price Support Reg. Amdt. 2]

PART 1434—HONEY

Subpart—Honey Price Support Regulations

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation, published in 29 F.R. 5307 and containing requirements of the honey price support program are hereby amended as follows:

1. Paragraph (a) of § 1434.52 is amended to provide that cooperative marketing associations desiring to qualify for price support must meet the provisions of the Cooperative Marketing Associations Regulations in Part 1425 of this chapter, to delete the reference to § 1434.56 and to read as follows:

§ 1434.52 Eligible producers.

(a) *Producer.* An eligible producer shall be an individual, partnership, corporation, estate, trust, or other legal entity, who extracts honey produced by bees owned by him, or a cooperative marketing association which meets the requirements of Cooperative Marketing Associations Regulations, Part 1425 of this chapter, and any amendments thereto, and meets the requirements for eligibility for price support contained in this subpart.

* * * * *

2. Paragraph (b) of § 1434.53 is amended to provide that cooperative marketing associations desiring to qualify for price support must meet the provisions of the Cooperative Marketing Associations Regulations in Part 1425 of this chapter, to delete the reference to § 1434.56 and to read as follows:

§ 1434.53 Eligibility requirements.

* * * * *

(b) *Beneficial interest.* To be eligible for price support, the beneficial interest in the honey must be in the producer tendering it as security for a loan or for purchase and must always have been in him, or in him and a former producer whom he succeeded as owner of the bees before the honey was extracted. In the case of a cooperative marketing association, the beneficial interest in the honey must have been in the producer-members who delivered the honey to the association or to member associations or must always have been in them and former producers whom they succeeded before the honey was extracted. Honey acquired by an association shall not be eligible for price support if the producer-members who delivered the honey to the association or memb r associations do not retain the right to share proportionately in the proceeds from the marketing of the honey as provided in the Cooperative Marketing Associations Regulations, Part 1425 of this chapter and any amendments thereto.

* * * * *

3. Paragraph (b) of § 1434.55 is amended to extend the period for filing an application for price support and to read as follows:

§ 1434.55 Availability, disbursement, and maturity of loans.

* * * * *

(b) *Availability date.* Producers desiring price support for 1965 and subse-

quent crops of honey must file an application therefor no later than April 30 of the year following the year in which the honey was produced and extracted.

* * * * *

§ 1434.56 [Deleted]

4. Section 1434.56 is amended to delete the entire section which contained eligibility requirements for cooperative marketing associations.

5. Paragraph (a) of § 1434.57 is amended to extend the area of availability of price support to all of the United States by deleting the word "continental" appearing before the words "United States" and to read as follows:

§ 1434.57 Eligible honey.

* * * * *

(a) *Production.* The honey must have been produced and extracted in the United States by an eligible producer during the calendar year for which application is made for price support.

* * * * *

6. Section 1434.77 is amended to set forth the support rate for the quality of 1965-crop honey placed under loan or acquired under loan or by purchase, to add the designation (a) to the introductory paragraph thereof, to change designations of existing paragraphs from (a) to (b) and (b) to (c) and to read as follows:

§ 1434.77 Support rates.

(a) *1965 crop.* The support rate for the quality of 1965-crop honey placed under loan or acquired under loan or purchase shall be the rate for the respective class and color set forth below. An amendment to this section shall be issued for each year for which a honey price support program is authorized to set forth the support rate for the then current crop of honey.

Class and color	For Montana, Wyoming, Colorado, New Mexico and States west thereof	All States east of Montana, Wyoming, Colorado and New Mexico
	Cents per pound	*Cents per pound*
Table honey:		
1. White and lighter	12.0	12.9
2. Extra light amber	11.0	11.9
3. Light amber	9.5	10.4
4. Other table honey	7.5	8.4
Nontable honey	7.5	8.4

(b) *Table honey.* Table honey means honey having a good flavor of the predominant floral source which can be readily marketed for table use in all parts of the country. Such sources include Alfalfa, Bird's-foot Trefoil, Blackberry, Brazil Brush, Catsclaw, Clover, Cotton, Firewood, Gallberry, Huajillo, Lima Bean, Mesquite, Orange, Raspberry, Sage, Saw Palmetto, Sourwood, Star Thistel, Sweetclover, Tupelo, Vetch, Western Wild Buckwheat, Wild Alfalfa, and similar mild-flavors, or blends of mild-flavored honeys, as determined by the Director, Farmer Programs Division, ASCS.

(c) *Nontable honey.* Nontable honey means honey having a predominant flavor of limited acceptability for table use but considered to be suitable for table use in areas in which it is produced. Such honeys include those with a predominant flavor of Aster, Avocado, Buckwheat (except Western Wild Buckwheat), Cabbage Palmetto, Dandelion, Eucalyptus, Goldenrod, Heartsease (Smartweed), Horsemint, Mangrove, Manzanita, Mint, Partridge Pea, Rattan Vine, Safflower, Salt Cedar (Tamarix Gallica), Spanish Needle, Spikeweed, Titi-Toyon (Christmas Berry), Tulip-Poplar, Wild Cherry, and similarly flavored honey, or blends of such honeys, as determined by the Director, Farmer Programs Division, ASCS.

7. Section 1434.80 is amended to change the reference to the regulations defining the person or persons entitled to payment in case of death, incompetency or disappearance of a producer due a sum under a loan or purchase, to make minor revisions of language and to read as follows:

§ 1434.80 Death, incompetency, or disappearance.

In the case of the death, incompetency, or disappearance of any producer who is entitled to the payment of any sum under a loan or purchase, payment of such sum upon proper application to the office of the county committee which made the loan, shall be made to the person or persons who would be entitled to such producer's payment under the regulations contained in Chapter VII, Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture, §§ 707.1 to 707.7 of this title (Payments Due Persons Who Have Died, Disappeared or Have Been Declared Incompetent) (30 F.R. 6246, May 5, 1965).

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, 1054; 15 U.S.C. 714c, 7 U.S.C. 1446, 1421)

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 24, 1965.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 65-5571; Filed, May 26, 1965; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6501; Amdt. 39-73]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Models 18, PV-1 and PV-2 Series Aircraft

A proposal to amend Part 39 of the Federal Aviation Regulations to revise Amendment 34 (24 F.R. 6581), AD 59-16-2, as amended by Amendment 50 (24 F.R. 8928), Lockheed Models 18, PV-1 and PV-2 Series aircraft, by amending the applicability provision of the AD to include the Model B-34 Series aircraft and to delete the Model PV-2 Series aircraft was published in 30 F.R. 2718.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 34 (24 F.R. 6581), AD 59-16-2, as amended by Amendment 50 (24 F.R. 8928), is further amended by changing the applicability statement to read:

Applies to Models 18, PV-1 and B-34 Series aircraft except those incorporating spar reinforcement as covered in Lockheed Aircraft Service Bulletin 18/SB-112.

This amendment becomes effective June 26, 1965.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423))

Issued in Washington, D.C., on May 20, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-5498; Filed, May 26, 1965; 8:45 a.m.]

[Airspace Docket No. 64-AL-6]

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

Control Zone and Transition Area Designation; Alteration of Amendments

On April 6, 1965, Federal Register Document 65-3497 was published in the FEDERAL REGISTER (30 F.R. 4391) amending Part 71 of the Federal Aviation Regulations by designating a control zone and transition area at Dillingham, Alaska.

Subsequent to this publication, there has been a delay in establishing the communications link between Dillingham and the King Salmon, Alaska, Flight Service Station. Also, from April through September, weather observations will be available only from 0700 to 1800 hours daily instead of from 0600 to 2200 hours daily as stated in the present rule. Therefore, action is taken herein to alter Airspace Docket No. 64-AL-6, by postponing the effective date until July 22, 1965, and amending the effective time of the control zone to 0700 to 1800 hours, local time, daily, April through September. The effective time from October through March will remain the same.

Since the postponement of the effective date is procedural in nature and the effective hours of operation are less restrictive upon the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, Federal Register Document 65-3497 is amended as hereinafter set forth.

1. The effective date of the amendments set forth in Federal Register Document 65-3497 as altered herein is changed from 0001 e.s.t., May 27, 1965, to 0001 e.s.t., July 22, 1965.

2. In the text of the control zone description "effective from 0600 to 2200 hours, local time, daily, April through September" is deleted and "effective from 0700 to 1800 hours, local time, daily, April through September" is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-5499; Filed, May 26, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-6]

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

Designation of Federal Airway

On March 23, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3785) stating that the Federal Aviation Agency was considering the designation of a segment of Victor 171 from Bemidji, Minn., to Baudette, Minn.

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 0001 e.s.t., July 22, 1965, as hereinafter set forth.

§ 71.123 (29 F.R. 17509) is amended as follows:

In V-171 "to Alexandria, Minn." is deleted and "to Alexandria, Minn. From Bemidji, Minn., 12 AG via the INT of Bemidji 027° and Baudette, Minn., 178° radials; to Baudette. The portion within R-4304, and the portion outside the United States are excluded." is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-5500; Filed, May 26, 1965; 8:45 a.m.]

[Airspace Docket No. 65-EA-5]

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

Revocation of Federal Airway

On March 9, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3224) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke VOR Federal airway No. 261.

Interested persons were afforded an opportunity to participate in the proposed 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 0001 e.s.t., August 19, 1965, as hereinafter set forth.

In § 71.123 (29 F.R. 17509), V-261 is revoked.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedure Division.

[F.R. Doc. 65-5501; Filed, May 26, 1965; 8:45 a.m.]

[Airspace Docket No. 63-SW-121]

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

Revocation of Federal Airway

On February 11, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 2352) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke the north alternate of V-76 between San Angelo, Tex., and Austin, Tex., via Llano, Tex.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all revelant matter presented.

The Air Transport Association of America requested that V-76N not be revoked until a route with controlled airspace for the Trans-Texas Airways operation between Austin and Abilene, Tex., was designated. Controlled airspace to protect this operation will become effective 0001 e.s.t., June 24, 1965, as provided in Airspace Docket No. 63-SW-98.

Rule making on the action proposed herein was held in abeyance at the request of the Southwest Region until such time as controlled airspace could be provided for the Trans-Texas Airways operation. Since the latest FAA peak day IFR airway traffic survey showed only one recent aircraft movement for the segment for V-76N and controlled airspace has been provided for the Trans-Texas Airways operation, retention of V-76N as assignment of controlled airspace is unjustified.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

In § 71.123 (29 F.R. 17509), V-76 is amended by deleting everything after "Austin, Tex.," and substituting therefor "including a south alternate via INT of Llano 129° and Austin 257° radials; Houston, Tex.; to Galveston, Tex. The airspace within R-6310 is excluded."

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-5502; Filed, May 26, 1965; 8:45 a.m.]

[Airspace Docket No. 64-WA-85]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Establishment of Jet Route and Designation of Control Area

On March 17, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3549) stating that the Federal Aviation Agency was considering amendments to Part 71 and Part 75 of the Federal Aviation Regulations that would designate a jet route from the Oakland, Calif., VORTAC, via the Ukiah, Calif., VORTAC; the Fortuna, Calif., VOR; the North Bend, Oreg., VOR; the Newport, Oreg., VOR; the Hoquiam, Wash., VOR; to the Seattle, Wash., VORTAC. It was further stated in the notice that this jet route would be listed under § 71.161 of the Federal Aviation Regulations for the purpose of providing sufficient controlled airspace along portions of the route that would lie outside the continental control area.

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

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

1. In § 75.100 (29 F.R. 17776), the following is added:

Jet Route No. 19 (Oakland, Calif., to Seattle, Wash.) From Oakland, Calif., via Ukiah, Calif.; Fortuna, Calif.; North Bend, Oreg.; Newport, Oreg.; Hoquiam, Wash.; to Seattle, Wash.

2. In § 71.161 (29 F.R. 17552), the following is added:

Jet Route No. 19 from Fortuna, Calif., to Hoquiam, Wash.

(Secs. 307(a) and 1110 of the Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510, and Executive Order 10854; 24 F.R. 9565)

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-5503; Filed, May 26, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-52]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regula-

tions is to alter the description of the Blythe, Calif., transition area.

The Blythe, Calif., transition area is presently designated, in part, with reference to the Blythe radio beacon which will be converted to an SABH facility on May 27, 1965. The instrument approach procedure predicated on the radio beacon will be canceled and the converted beacon will be classified as a VFR aid. Therefore, action is taken herein to revoke the transition area based on the Blythe radio beacon and redescribe the transition area based on the Blythe VORTAC.

Since the change effected by this amendment is less restrictive in nature than present requirements, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 27, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 17649), the Blythe, Calif., transition area is amended to read:

BLYTHE, CALIF.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Blythe VORTAC 227° radial, extending from the arc of a 5-mile radius circle centered on the Blythe Airport (latitude 33°37'15" N., longitude 114°43'00" W.) to 8 miles SW of the VORTAC; and that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 33°43'00" N., on the E by longitude 114°30'00" W., on the S by the arc of an 18-mile radius circle centered on the Blythe Airport, and on the W by longitude 115°00'00" W.

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on May 20, 1965.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 65-5504; Filed, May 26, 1965; 8:46 a.m.]

[Airspace Docket No. 65-WA-36]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to change the Using Agency of Restricted Area R-4810 at Desert Mountains, Nev.

The Department of the Navy has informed the Federal Aviation Agency that responsibility for the facilities and activities at this restricted area has been assumed by the Commander, Fleet Air, Alameda, Calif. For this reason, the U.S. Navy has requested an amendment to R-4810.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and this amendment may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 73.48 (29 F.R. 17754), Restricted Area R-4810 is amended by deleting from the text "Using agency. Commander, Naval Air Bases, 12th Naval District, Alameda, Calif." and substituting therefor "Using agency. Commander, Fleet Air, Alameda, Calif."

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 20, 1965.

CLIFFORD P. BURTON,
Acting Director,
Air Traffic Service.

[F.R. Doc. 65-5505; Filed, May 26, 1965; 8:46 a.m.]

[Airspace Docket No. 65-WE-47]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Areas

The purpose of these amendments to Part 73 of the Federal Aviation Regulations is to change the using agency of Restricted Areas R-5701, R-6701, R-6705, R-6707, R-6708, and R-6713.

The Department of the Navy has informed the Federal Aviation Agency that responsibility for the facilities and activities at the above restricted areas has been assumed by the Commander Fleet Air Whidbey, NAS Whidbey Island, Wash. For this reason, the U.S. Navy has requested appropriate amendments to R-5701, R-6701, R-6705, R-6707, R-6708, and R-6713.

Since these amendments are editorial in nature, notice and public procedure hereon are unnecessary and the amendments may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

1. In § 73.57 (29 F.R. 17764), Restricted Area R-5701 is amended by deleting from the text "Using agency. Commanding Officer, NAS Whidbey Island, Wash." and substituting therefor "Using agency. Commander Fleet Air Whidbey, NAS Whidbey Island, Wash."

2. In § 73.67 (29 F.R. 17771), Restricted Areas R-6701, R-6705, R-6707, R-6708 and R-6713 are amended by deleting from the respective texts "Using agency. Commanding Officer, NAS Whidbey Island, Wash." and substituting therefor "Using agency. Commander Fleet Air Whidbey, NAS Whidbey Island, Wash."

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 20, 1965.

CLIFFORD P. BURTON,
Acting Director,
Air Traffic Service.

[F.R. Doc. 65-5506; Filed, May 26, 1965; 8:46 a.m.]

[Airspace Docket No. 65-WA-13]

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Jet Route

On March 6, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 2953) stating that the Federal Aviation Agency was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a jet route segment between Fort Dodge, Iowa and Mason City, Iowa.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

In § 75.100 (29 F.R. 17776), the following jet route is added:

Jet Route No. 132 (Fort Dodge, Iowa, to Mason City, Iowa). From Fort Dodge, Iowa, to Mason City, Iowa.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-5507; Filed, May 26, 1965; 8:46 a.m.]

[Airspace Docket No. 64-WA-76]

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Jet Route

On November 20, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 15583) stating that the Federal Aviation Agency was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a jet route from the Memphis, Tenn., VORTAC to the Northbrook, Ill., VORTAC, via the Centralia, Ill., VOR. On March 19, 1965, a supplementary notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3666), altering the proposal so that the jet route would extend from Memphis via the intersection of the Memphis 353° and the Centralia 196° True radials; Centralia; to Northbrook.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received on the proposal, as altered in the supplementary notice of proposed rule making, were favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

In § 75.100 (29 F.R. 17776), the following jet route is added:

Jet Route No. 71 (Memphis, Tenn., to Northbrook, Ill.). From Memphis, Tenn., via INT of Memphis 353° and the Centralia, Ill., 196° radials; Centralia; to Northbrook, Ill.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-5508; Filed, May 26, 1965; 8:46 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Flathead Indian Irrigation Project, Montana

On page 5708 of the FEDERAL REGISTER of April 22, 1965, there was published a notice of intention to amend §§ 221.16 and 221.17 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Montana, that are not subject to the jurisdiction of the several irrigation districts. The purpose of the amendments is to establish the assessment rate for non-district lands of the Flathead Indian Irrigation Project for 1965 and thereafter until further notice.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received, and the proposed amendments are hereby adopted without change as set forth below.

Section 221.16 is amended to read as follows:

§ 221.16 Charges, Jocko Division.

(a) An annual minimum charge of $2.96 per acre, for the season of 1965 and thereafter until further notice, shall be made against all assessable irrigable land in the Jocko Division that is not included in an irrigation district organization, regardless of whether water is used.

(b) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of one dollar and ninety-six cents ($1.96) per acre foot or fraction thereof.

Section 221.17 is amended to read as follows:

§ 221.17 Charges, Mission Valley and Camas Divisions.

(a) (1) An annual minimum charge of $3.27 per acre, for the season 1965 and thereafter until further notice, shall be made against all assessable irrigable land in the Mission Valley Division that is not included in an irrigation district organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of two dollars and twenty-seven cents ($2.27) per acre foot or fraction thereof.

(b) (1) An annual minimum charge of $4.34 per acre, for the season of 1965 and thereafter until further notice, shall be made against all assessable irrigable land in the Camas Division that is not included in an irrigation district organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of three dollars and thirty-four cents ($3.34) per acre foot or fraction thereof.

NED O. THOMPSON,
Acting Area Director.

[F.R. Doc. 65-5518; Filed, May 26, 1965; 8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3658]

[Utah 0140674]

UTAH

Partial Revocation of Public Water Reserve

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The Executive order of June 13, 1925, which established Public Water Reserve No. 91, is hereby revoked so far as it affects the following described land:

SALT LAKE MERIDIAN

T. 36 S., R. 26 E.,
Sec. 28, SE¼SW¼.

The area described contains approximately 40 acres, in San Juan County. The land is nonpublic land.

JOHN A. CARVER, Jr.,
Under Secretary of the Interior.

MAY 20, 1965.

[F.R. Doc. 65-5520; Filed, May 26, 1965; 8:46 a.m.]

[Public Land Order 3659]

[Colorado 0124331]

COLORADO

Powersite Restoration No. 628; Powersite Cancellation No. 218; Partial Revocation of Powersite Reserve No. 253; and Powersite Classification No. 89

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determination of the Federal Power Commission in DA-456-Colorado, it is ordered as follows:

1. The Executive Order of March 23, 1912, creating Powersite Reserve No. 253, as conformed to survey by Interpretation No. 340 of April 13, 1945, and the Departmental order of February 24, 1925, creating Powersite Classification No. 89, as conformed to survey by Interpretation No. 338 of January 17, 1945, are hereby revoked so far as they affect the following-described lands:

SIXTH PRINCIPAL MERIDIAN

T. 5 S., R. 81 W.,
Sec. 22, lot 1;
Sec. 23, lots 5, 9 and 10.

Containing 171.58 acres in Eagle County.

The lands are situated on a moderate to steep slope that drains into the Eagle River, about one mile downstream from and due north of the Town of Minturn.

2. Until 10 a.m. on November 18, 1965, the State of Colorado shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). At 10 a.m. on November 18, 1965, the lands shall be open to the operation of the public land laws generally subject to existing valid rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on November 18, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter will be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Denver, Colo.

JOHN A. CARVER, Jr.,
Under Secretary of the Interior.

MAY 20, 1965.

[F.R. Doc. 65-5521; Filed, May 26, 1965; 8:46 a.m.]

[Public Land Order 3660]

[Idaho 015897]

IDAHO

Partial Revocation of Reclamation Withdrawal (Mountain Home Division, Snake River Project)

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental order of April 30, 1951, which withdrew lands for reclamation purposes is hereby revoked so far as it affects the following-described lands:

BOISE MERIDIAN

T. 2 N., R. 2 E.,
Sec. 30, W½SE¼.

Containing 80 acres in Ada County.

The land lies on a plateau south of Ten Mile Creek, about nine miles south of

Boise. Topography is rolling. No surface water is available.

2. Until 10 a.m. on November 18, 1965, the State of Idaho shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that date and hour the lands shall become subject to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 25, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws after 10 a.m. on November 18, 1965.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

JOHN A. CARVER, Jr.,
Under Secretary of the Interior.

MAY 20, 1965.

[F.R. Doc. 65-5522; Filed, May 26, 1965; 8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart C—Eligibility Requirements—Projects

DEVELOPMENT OF PROPERTY

In § 220.506 paragraph (b) is amended to read as follows:

§ 220.506 Development of property.

* * * * *

(b) *Minimum number of units.* The project shall consist of not less than two rental dwelling units on one site and may be detached, semidetached, or row houses, or a multifamily structure. The site may consist of two or more noncontiguous parcels of land whenever the Commissioner shall have determined that the parcels are (1) so situated as to comprise a readily marketable real estate entity, and (2) within an area small enough to allow convenient and efficient management.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

Issued at Washington, D.C., May 21, 1965.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 65-5540; Filed, May 26, 1965; 8:47 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 7; Amdt. 2]

PART 528—SELF-POLICING SYSTEMS

Reporting Requirements

Take notice that the Federal Maritime Commission has amended its Part 528 of Title 46, CFR, to provide that in the event that no complaints were received by the conferences and carriers subject to the provisions of the part, or by any person to whom they have delegated the self-policing authority, during the six-month reporting period, or no actions were taken on complaints received in the previous six-month period, a negative report so stating must be filed. While most of the conferences and carriers subject to the reporting requirement have filed negative reports, inquiries have been received by the Commission from some conferences and carriers, subject to the self-policing requirements, as to whether negative reports are required. Thus the purpose of this minor amendment is to clarify the confusion on the part of some of the conferences and parties to other rate-fixing agreements as to the requirements for the filing of negative reports, in the above instances, so that the Commission will be fully advised of the self-policing activities of the parties subject to the reporting requirements. For these reasons the Commission is of the opinion that the procedure under which interested parties may comment on proposed rules is unnecessary for the purposes of this minor amendment and that the provisions of section 4(b) of the Administrative Procedure Act (5 U.S.C. 1003(b)) should be waived;

Therefore, pursuant to sections 15, 21 and 43 of the Shipping Act, 1916 (46 U.S.C. 814, 820 and 841a), § 528.3 *Reporting requirements*, 46 CFR is hereby amended by the addition of the following sentence: "In the event that no complaints were received during the six-month period, or no actions were taken on complaints received in the previous six-month period, a negative report so stating must be filed."

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

By the Commission,

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 65-5546; Filed, May 26, 1965; 8:48 a.m.]

[Docket No. 964; General Order 13]

PART 536—FILING OF TARIFFS BY COMMON CARRIERS BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES AND BY CONFERENCES OF SUCH CARRIERS

CROSS REFERENCE: For addition of new Part 536 to Chapter IV of Title 46 of the Code of Federal Regulations, see Part II of this issue of the FEDERAL REGISTER.

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

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

Miscellaneous Amendments

The Commission having under consideration the desirability of making certain editorial changes in Part 2, Subpart G of its rules and regulations; and

It appearing, that the amendments adopted herein are editorial in nature, and, therefore, prior publication of Notice of Proposed Rule Making under the provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendments may become effective immediately; and

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in sections 4(i), (5)(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.261(a) of the Commission's rules;

It is ordered, This 21st day of May 1965, that effective June 1, 1965, Part 2, Subpart G is amended as set forth below.

Released: May 21, 1965.

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

1. Section 2.601 is amended to read as follows:

§ 2.601 General.

This subpart is corrected to June 1, 1965. The Commission does not distribute copies of these documents. Inquiry may be made to the U.S. Government Printing Office concerning availability for purchase.

2. In § 2.603, paragraphs (a) and (b) are amended to read as set forth below, the text of paragraph (c) is deleted and the word "[Reserved]" is inserted in lieu thereof.

§ 2.603 Treaties and other international agreements relating to radio.

(a) The applicable treaties and other international agreements in force relating to radio and to which the United States of America is a party are listed below:

Date	Citations	Subject
1925	IV Trenwith 4348, 4350 and 4351. TS 734-A.	US-UK (also for Canada and Newfoundland) Bilateral Arrangements providing for the Prevention of Interference by Ships off the Coasts of these Countries with Radio Broadcasting. Effected by exchange of notes September and October 1925. Entered into force Oct. 1, 1925.
1928 and 1929	1929 For. Rel., vol. II, p. 114. TS 767-A.	US-Canada Arrangement governing Radio Communications between Private Experimental Stations. Effected by exchange of notes at Washington, Oct. 2 and Dec. 29, 1928, and Jan. 12, 1929. Entered into force Jan. 1, 1929. This arrangement is continued by the arrangement contained in EAS 62.
1929	IV Trenwith 4787. TS 777-A.	US-Canada (including Newfoundland) Arrangement relating to Assignment of High Frequencies on the North American Continent. Effected by exchange of notes at Ottawa on Feb. 26 and 28, 1929. Entered into force Mar. 1, 1929. (Originally, Cuba was also a party to this arrangement, but by virtue of notice to the Canadian Government, it ceased to be a party effective Oct. 5, 1933.)
1934	48 Stat. 1876. EAS 62.	US-Canada Arrangement relative to Radio Communications between Private Experimental Stations and between Amateur Stations. Continues the arrangement contained in TS 767-A. Effected by exchange of notes at Ottawa April 20, and May 2 and 4, 1934. Entered into force May 4, 1934.
1934	49 Stat. 3555. EAS 66.	US-Peru Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Lima Feb. 16 and May 23, 1934. Entered into force May 23, 1934.
1934	49 Stat. 3667. EAS 72.	US-Chile Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Santiago Aug. 2 and 17, 1934. Entered into force Aug. 17, 1934.
1937	53 Stat. 1576. TS 938.	Inter-American Radio Communications Convention between the United States and Other Powers. Signed at Havana Dec. 13, 1937. (First Inter-American Radio Conference.) Entered into force for the United States July 21, 1938 for Parts I, III, and IV; Apr. 17, 1939 for Part II. Part II of the Convention (Inter-American Radio Office) terminated for all parties Dec. 20, 1958 (TIAS 4079).
1938	54 Stat. 1675. TS 949.	Regional Radio Convention between the United States (in behalf o the Canal Zone) and Other Powers. Signed at Guatemala City Dec. 8, 1938. Entered into force Oct. 8, 1939.
1938	53 Stat. 2092. EAS 142.	US-Canada Agreement regarding Radio Communications between Alaska and British Columbia. Effected by exchange of notes at Washington June, July, August, September, October, November, and December, 1938. Entered into force Aug. 1, 1938.
1939	53 Stat. 2157. EAS 143.	US-Canada Arrangement governing the Use of Radio for Civil Aeronautical Services. Effected by exchange of notes at Washington Feb. 20, 1939. Entered into force Feb. 20, 1939.
1940	54 Stat. 2683. EAS 196.	US-Mexico Agreement relating to Radio Broadcasting. Effected by exchange of notes at Mexico Aug. 24 and 28, 1940. Entered into force Mar. 29, 1941.
1946	60 Stat. 1696. TIAS 1527.	US-USSR Agreement on Organization of Commercial Radio Teletype Communication Channels. Signed at Moscow May 24, 1946. Entered into force May 24, 1946.
1947	61 Stat. (3) 3131. TIAS 1602.	US-UK Agreement regarding Standardization of Distance Measuring Equipment. Signed at Washington Oct. 13, 1947. Entered into force Oct. 13, 1947.
1947	61 Stat. (4) 3416. TIAS 1676.	US-UN Agreement relative to Headquarters of the United Nations. Signed at Lake Success June 26, 1947. Entered into force Nov. 21, 1947, by an exchange of notes between the United States Representative to the United Nations and the Secretary General of the UN.
1947	61 Stat. (4) 3800. TIAS 1726.	US-Canada Agreement providing for Frequency Modulation Broadcasting in Channels in the Radio Frequency Band 88-108 Mc/s. Effected by exchange of notes at Washington Jan. 8 and Oct. 15, 1947. Entered into force Oct. 15, 1947.
1948	9 UST 621. TIAS 4044.	Intergovernmental Maritime Consultative Organization (IMCO) Convention. Signed at Geneva Mar. 6, 1948. Entered into force Mar. 17, 1958.
1949	3 UST (2) 2598. TIAS 2435.	London Telecommunications Agreement between the United States and Certain British Commonwealth Governments. Signed at London Aug. 12, 1949. Entered into force Feb. 24, 1950. This agreement was amended by TIAS 2705 which was signed Oct. 1, 1952.
1949	3 UST (3) 3064. TIAS 2489.	Inter-American Radio Agreement between the United States and Canada and Other American Republics. Signed at Washington July 9, 1949. (Fourth Inter-American Radio Conference.) Entered into force Apr. 13, 1952, subject to the provisions of Article 13.
1950	3 UST (2) 2672. TIAS 2493.	US-Ecuador Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Quito Mar. 16 and 17, 1950. Entered into force Mar. 17, 1950.
1950	11 UST 431. TIAS 4490.	North American Regional Broadcasting Agreement (NARBA). Signed at Washington Nov. 15, 1950. Entered into force Apr. 19, 1960. Effective between United States, Canada, Cuba, Dominican Republic, and the United Kingdom of Great Britain and Northern Ireland for the Bahama Islands. Ratification on behalf of Jamaica pending.
1950 and 1951	2 UST (1) 683. TIAS 2223.	US-Liberia Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Monrovia Nov. 9, 1950, and Jan. 8, 9, and 10, 1951. Entered into force Jan. 11, 1951.
1951	3 UST (3) 3787. TIAS 2308.	US-Canada Convention relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country. Signed at Ottawa Feb. 8, 1951. Entered into force May 15, 1952.
1951	3 UST (2) 2882. TIAS 2459.	US-Cuba Agreement concerning the Control of Electromagnetic Radiation. Effected by exchange of notes at Havana Dec. 10 and 18, 1951. Entered into force Dec. 18, 1951.
1951 and 1952	3 UST (3) 3892. TIAS 2520.	US-Cuba Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Havana Sept. 17, 1951, and Feb. 27, 1952. Entered into force Feb. 27, 1952.
1952	3 UST (3) 4443. TIAS 2594.	US-Canada Agreement relating to the Assignment of Television Frequency Channels along United States-Canadian Border. Effected by exchange of notes at Ottawa Apr. 23 and June 23, 1952. Entered into force June 23, 1952.
1952	3 UST (4) 4926. TIAS 2666.	US-Canada Agreement for the Promotion of Safety on the Great Lakes by Means of Radio. The agreement applies to vessels of all countries as provided for in Article 3. Signed at Ottawa Feb. 21, 1952. Entered into force Nov. 15, 1954.
1952	3 UST (4) 5149. TIAS 2705.	London Revision (1952) of the London Telecommunications Agreement (1949) between the United States and Certain British Commonwealth Governments. Signed at London Oct. 1, 1952. Entered into force Oct. 1, 1952. This amends the agreement contained in TIAS 2435 signed at London Aug. 12, 1949.
1953	5 UST (3) 2840. TIAS 3138.	US-Canada Understanding relating to the Sealing of Mobile Radio Transmitting Equipment. Effected by exchange of notes at Washington Mar. 9 and 17, 1953. Entered into force Mar. 17, 1953.
1956	7 UST 2179. TIAS 3617.	US-Panama Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Panama July 19 and Aug. 1, 1956. Entered into force Sept. 1, 1956.
1956	7 UST 2839. TIAS 3665.	US-Costa Rica Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Washington Aug. 13 and Oct. 19, 1956. Entered into force Oct. 19, 1956.
1956	7 UST 3159. TIAS 3694.	US-Nicaragua Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Managua Oct. 8 and 16, 1956. Entered into force Oct. 16, 1956.
1957	12 UST 734. TIAS 4777.	US-Mexico Agreement regarding Radio Broadcasting in the Standard Broadcast Band. Signed at Mexico Jan. 29, 1957. Entered into force June 9, 1962.
1957	9 UST 1037. TIAS 4079.	Multilateral Declaration between the United States and Other Powers terminating Part II (Inter-American Radio Office) of the Inter-American Radio Communications Convention of Dec. 13, 1937 (TS-938). Signed at Washington Dec. 20, 1957. Entered into force Dec. 20, 1957. Additionally, a Contract on the Exchange of Notifications of Radio Broadcasting Frequencies between the Pan American Union, the United States and Other Powers was signed at Washington Dec. 20, 1957. Entered into force Jan. 1, 1958.
1958	9 UST 1091. TIAS 4089.	US-Mexico Agreement regarding Allocation of Ultra High Frequency Channels to Land Border Television Stations. Effected by exchange of notes at Mexico July 16, 1958. Entered into force July 16, 1958.
1958	10 UST 2821. TIAS 4390.	Telegraph Regulations (Geneva Revision, 1958) Annexed to the International Telecommunication Convention. Signed at Geneva Nov. 29, 1958. Entered into force Jan. 1, 1960.
1959	10 UST 1449. TIAS 4295.	US-Mexico Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Mexico July 31, 1959. Entered into force Aug. 30, 1959.
1959 and 1960	11 UST 257. TIAS 4442.	US-Honduras Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Tegucigalpa Oct. 26, 1959, and Feb. 17, 1960, and related note of Feb. 19, 1960. Entered into force Mar. 17, 1960.
1959	10 UST 3019. TIAS 4394.	US-Venezuela Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Caracas Nov. 12, 1959. Entered into force Dec. 12, 1959.

Date	Citations	Subject
1959	12 UST 1761 TIAS 4892.	International Telecommunication Convention. Signed at Geneva Dec. 21, 1959. Entered into force with respect to the United States Oct. 23, 1961.
1959	12 UST 2377 TIAS 4893.	International Radio Regulations Annexed to the International Telecommunication Convention. Signed at Geneva Dec. 21, 1959. Entered into force with respect to the United States Oct. 23, 1961. Revised by the Partial Revision of the Radio Regulations, Geneva, 1959, signed at Geneva Nov. 8, 1963 (TIAS 5603).
1960	11 UST 1 TIAS 4399.	US-Haiti Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Port-au-Prince Jan. 4 and 6, 1960. Entered into force Feb. 5, 1960.
1960	TIAS 5780.	International Convention for the Safety of Life at Sea and Annexed Regulations. Signed at London June 17, 1960. Entered into force May 26, 1965.
1960	11 UST 2229 TIAS 4596.	US-Paraguay Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Asuncion Aug. 31 and Oct. 6, 1960. Entered into force Nov. 5, 1960.
1961	12 UST 1695 TIAS 4888.	US-Bolivia Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at La Paz Oct. 23, 1961. Entered into force Nov. 22, 1961.
1962	13 UST 997 TIAS 5043.	US-Mexico Agreement relating to the Assignment of VHF Television Channels along United States-Mexican Border. Effected by exchange of notes at Mexico Apr. 18, 1962. Entered into force Apr. 18, 1962.
1962	13 UST 411 TIAS 5001.	US-El Salvador Arrangement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at San Salvador Apr. 5, 1962. Entered into force May 5, 1962.
1962	13 UST 2413 TIAS 5205.	US-Canada Agreement relating to the Coordination and Use of Radio Frequencies above 30 Mc/s. Effected by exchange of notes at Ottawa Oct. 24, 1962. Entered into force Oct. 24, 1962.
1963	14 UST 817 TIAS 5360.	US-Dominican Republic Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Santo Domingo Apr. 18 and 22, 1963. Entered into force May 22, 1963.
1963	15 UST 887 TIAS 5603.	Partial Revision of the Radio Regulations, Geneva, 1959. Signed at Geneva Nov. 8, 1963. Entered into force Jan. 1, 1963.
1963	14 UST 1754 TIAS 5483.	US-Colombia Agreement regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes at Bogota Nov. 16 and 29, 1963. Entered into force Dec. 29, 1963.
1964	TIAS 5642.	US-Costa Rica Agreement regarding Alien Amateur Radio Operators. Effected by exchange of notes at San Jose Aug. 17 and 24, 1964. Entered into force Aug. 24, 1964.
1964	TIAS 5646.	US-Other Governments Agreement establishing Interim Arrangements for a Global Commercial Communications Satellite System and Special Agreement. Done at Washington Aug. 20, 1964. Entered into force Aug. 20, 1964.
1965	TIAS 5706.	US-Dominican Republic Agreement regarding Alien Amateur Radio Operators. Effected by exchange of notes at Santo Domingo Jan. 28 and Feb. 2, 1965. Entered into force Feb. 2, 1965.
1965	TIAS 5777.	US-Bolivia Agreement regarding Alien Amateur Radio Operators. Effected by exchange of notes at La Paz Mar. 16, 1965. Entered into force Apr. 15, 1965.
1965	TIAS 5779.	US-Ecuador Agreement regarding Alien Amateur Radio Operators. Effected by exchange of notes at Quito Mar. 16, 1965. Entered into force Mar. 26, 1965.

(b) With respect to its relations with several countries, the United States is bound by certain superseded treaties and agreements because some of the contracting countries other than the United States did not become a party to subsequent treaties and agreements. These include the following:

Date	Citations	Subject
1912	38 Stat. 1672 TS 581.	International Radiotelegraph Convention. Signed at London July 5 1912. Entered into force July 1, 1913. Superseded by the International Radiotelegraph Convention and General Regulations, Washington, 1927 (TS 767).
1927	45 Stat. 2760 TS 767.	International Radiotelegraph Convention and General Regulations. Signed at Washington Nov. 25, 1927. Entered into force Jan. 1, 1929. Superseded by the International Telecommunication Convention and General Radio Regulations, Madrid, 1932 (TS 867).
1932	49 Stat. 2393 TS 867.	International Telecommunication Convention and General Radio Regulations. Signed at Madrid Dec. 9 1932. Entered into force for the United States June 12, 1934. The General Radio Regulations were replaced by the General Radio Regulations, Cairo Revision, 1938 (TS 948). The Convention was superseded by the International Telecommunication Convention, Atlantic City, 1947 (TIAS 1901).
1937	54 Stat. 2314 EAS 230.	Inter-American Arrangement concerning Radiocommunications and Annex. Signed at Havana Dec. 13, 1937. (First Inter-American Radio Conference.) Entered into force for the United States July 18, 1938. This arrangement was replaced by the Inter-American Agreement concerning Radiocommunications, Santiago, 1940 (EAS 232).
1938	54 Stat. 1417 TS 948.	General Radio Regulations (Cairo Revision, 1938) Annexed to the International Telecommunication Convention, Madrid, 1932. Signed at Cairo Apr. 8, 1938. Entered into force Sept. 1, 1939. Superseded by the Radio Regulations, Atlantic City, 1947 (TIAS 1903).
1940	55 Stat. 1482 EAS 231.	Inter-American Radiocommunications Agreement between the United States, Canada and Other American Republics. Signed at Santiago Jan. 26, 1940. (Second Inter-American Radio Conference.) Entered into force with respect to the United States Feb. 25, 1942. Replaced by the Inter-American Radio Agreement, Washington, 1949 (TIAS 2489).
1947	63 Stat. (2) 1399 TIAS 1901.	International Telecommunication Convention and Radio Regulations. Signed at Atlantic City Oct. 2, 1947. Entered into force Jan. 1, 1949. The Convention was superseded by the International Telecommunication Convention, Buenos Aires, 1952 (TIAS 3390). The Radio Regulations were superseded by the International Radio Regulations, Geneva, 1959 (TIAS 4893).
1948	3 UST (3) 3450 TIAS 2495.	International Convention for the Safety of Life at Sea and Annexed Regulations. Signed at London June 10, 1948. Entered into force Nov. 19, 1952. Replaced by the International Convention for the Safety of Life at Sea and Annexed Regulations, London, 1960 (TIAS 5780).
1949	2 UST (1) 17 TIAS 2175.	Telegraph Regulations (Paris Revision, 1949) Annexed to the International Telecommunication Convention. Signed at Paris Aug. 5, 1949. Entered into force with respect to the United States Sept. 26, 1950. Superseded by the Telegraph Regulations, Geneva Revision, 1958 (TIAS 4390).
1952	6 UST 1213 TIAS 3286.	International Telecommunication Convention. Signed at Buenos Aires Dec. 22, 1952. Entered into force with respect to the United States June 27, 1955. Superseded by the International Telecommunication Convention, Geneva, 1959 (TIAS 4892).

(c) [Reserved]

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

[F.R. Doc. 65-5558; Filed, May 26, 1965; 8:45 a.m.]

[Docket No. 15696; FCC 65-418]

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

Government Aeronautical Radionavigation Operations

1. Notice of proposed rule making in the above entitled matter was adopted by the Commission on November 12, 1964, and was published in the FEDERAL REGISTER on November 18, 1964 (FCC 64-1038, 29 F.R. 15445). Comments on the proposal contained therein were due on December 22, 1964 and reply comments were due on January 4, 1965. Comments were timely filed by Hastings-Raydist, Inc. and by Offshore-Raydist, Inc., and no requests for extension of filing times were received.

2. In the notice, it was proposed to remove the limitation on the band 1605-1715 kc/s imposed by the present footnote US79 insofar as it pertains to Government aeronautical radionavigation stations, while retaining the limitation insofar as it applies to non-Government aeronautical radionavigation operations. Footnote US79 presently reads:

US79 The aeronautical radionavigation service may be authorized the use of the frequencies 1638 kc/s and 1708 kc/s only.

3. In the existing national Table, the band 1605-1715 kc/s is allocated on a co-equal basis to the aeronautical radionavigation, fixed, land mobile, maritime mobile and radiolocation services. This basic allocation is then modified by footnote US79, which says that the aeronautical radionavigation service may use only 1638 and 1708 kc/s. In accordance with footnote NG18 the non-Government radiolocation service is then afforded only secondary status insofar as aeronautical radionavigation on 1638 and 1708 kc/s is concerned. By changing US79 to an NG footnote, while leaving NG18 unchanged, we would find the non-Government radiolocation service secondary to Government aeronautical radionavigation throughout the band, with no similar constraints applied to Government radiolocation operations.

4. Both Hastings and Offshore pointed out the recent increase in the number and diverse radiolocation operations which they are conducting, the large investment in equipment involved, and the necessary harmonic relationship of frequencies assigned for the operations. Consequently, it was argued, correcting a situation should interference arise could generate considerable hardship to the radiolocation operation. It was recommended by Hastings that the Commission review all applications for licensing in the band to minimize potential interference to the radiolocation service. A similar recommendation was made by Offshore except that it was also suggested that an agreement be made whereby Government aeronautical radionavigation use of the 1605-1715 kc/s band be minimized or confined to separate frequencies below 1620 kc/s.

5. Discussions with the Office of Director, Telecommunications Management (ODTM) concerning the proposal indicate that the primary requirement for the proposed action is not for widespread implementation, but for marker beacons operating in generally well-defined locations for limited time periods only and for special purposes with which civil aviation will not be concerned.

6. On the basis of the above considerations the matter has been re-negotiated with the ODTM to meet the original objectives but in a fashion designed to afford more equitable treatment to non-Government licensees in the band. To achieve that end, footnotes US79 and NG18 are deleted and a new footnote US97 is added. The net result, as shown in detail in the attachment, will afford protection to all aeronautical radionavigation operations on 1638 and 1708 kc/s from both Government and non-Government radiolocation operations; whereas the expanded Government aeronautical radionavigation service will be accommodated throughout the remainder of the band 1605-1715 kc/s on a co-equal basis with the other services to which the band is allocated.

7. In view of the foregoing, it is the Commission's opinion that the public interest will be served by adoption of the changes as set forth below. *Accordingly, it is ordered*, This 19th day of May 1965, that pursuant to authority contained in section 4(i) and 303 of the Communications Act as 1934, as amended, Part 2 of the Commission's rules is amended as set forth below effective July 1, 1965, and the proceeding in Docket No. 15696 is hereby terminated.

Released: May 21, 1965.

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

In § 2.106, the Table of Frequency Allocations is amended as shown in columns 7 and 8 for the frequency band 1605-1715 kc/s; footnotes US79 and NG 18 are deleted; and footnote US97 is added in appropriate numerical sequence, as follows:

§ 2.106 Table of frequency allocations.

* * * * *

FEDERAL COMMUNICATIONS COMMISSION

Band (kc/s) (7)	Service (8)
* * *	* * *
1605-1715 (US-97)	AERONAUTICAL RADIO-NAVIGATION. FIXED. LAND MOBILE. MARITIME MOBILE. RADIOLOCATION.
* * *	* * *

* * * * *

US97 The use of the band 1605-1715 kc/s by non-Government stations in the aeronautical radionavigation service is limited to the frequencies 1638 and 1708 kc/s. Stations in the radiolocation service shall not cause harmful interference to stations in the aeronautical radionavigation service operating on 1638 or 1708 kc/s.

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

[F.R. Doc. 65-5531; Filed, May 26, 1965; 8:47 a.m.]

[FCC 65-419; RM-754]

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

PART 87—AVIATION SERVICES

Frequency for Use By Survival Craft Stations and By Equipment Used for Survival Purposes

ORDER

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 19th day of May 1965;

The Commission, having before it for consideration the desirability of making certain changes to the Table of Frequency Allocations, § 2.106, and to the service rules and regulations affected thereby; and

It appearing, that the Office of the Director of Telecommunications Management and the Commission are in agreement on the desirability of common availability of frequencies for use by survival craft stations and equipment used for survival purposes; and

It further appearing, that Article 5, Footnote 309, and Article 28, paragraph 999 of the international Radio Regulations (Geneva 1959) presently provide for such operation on a worldwide basis; and

It further appearing, that paragraph 2.1.1(d) of Part II Annex 10 to the International Civil Aviation Organization Convention provides for the use by aviation of 243 Mc/s by survival radio equipment on a worldwide basis; and

It further appearing, that the frequency 243 Mc/s is in the band 225-328.6 Mc/s which is allocated to Government services only; that the only services which would be affected thereby are Government services; and that the Government agencies concerned have concurred in making the frequency available for this purpose; accordingly, public notice, as required by section 4 of the Administrative Procedures Act, is neither necessary nor appropriate; and

It further appearing, that the requirement that survival craft equipment authorized the use of 243 Mc/s must also be equipped to transmit on 121.5 Mc/s is based on the United States Position to the Seventh Session of the ICAO Communication Division, the recommendations of the Radio Technical Commission for Aeronautics and the Aircraft Owners and Pilots Association's petition for rule making (RM-754); and

It further appearing, that this order grants the petition for rule making (RM-754) filed by Aircraft Owners and Pilots Association during the time this matter was receiving consideration and interagency coordination and is dispositive of all issues raised therein; and

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in sections 4(i) and 303 (c) and (r) of the Communications Act of 1934, as amended;

It is ordered, That the petition for rule making (RM-754) filed by Aircraft Owners and Pilots Association is granted

and that effective July 1, 1965, Parts 2 and 87 of the Commission's rules and regulations are amended as set forth below.

Released: May 21, 1965.

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

1. In § 2.106, the Table of Frequency Allocations, columns 5 and 6 are amended with respect to the frequency band 225–328.6 Mc/s; footnote (309) is deleted; and a new footnote US98 is added in appropriate numerical sequence to read as follows:

§ 2.106 Table of frequency allocations.

* * * * *

UNITED STATES

Band (Mc/s) (5)	Allocation (6)
* * *	* * *
225–328.6 (310) (US17) (US98)	G.

* * * * *

US98 The frequency 243 Mc/s is the frequency in this band for use by Government and non-Government survival craft stations and equipment used for survival purposes.

2. Section 87.65(a)(6) is amended to read as follows:

§ 87.65 Frequency stability.

(a) * * *

(6) Band 136 to 470 Mc/s:	
Fixed stations:	
Power 50 w or less	[4] 0.005
Power above 50 w	[4] .002
Land stations	[3] .005
Mobile stations:	
Survival craft stations	.01
Land Mobile stations with power above 50 w	[3] .002
Aircraft and all other mobile stations	[3] .005
Radionavigation stations	[4] .005

* * * * *

3. In § 87.183, paragraph (l) is deleted and new paragraphs (l) and (aa) are added to read as follows:

§ 87.183 Frequencies available.

* * * * *

(l) 243 Mc/s: This is an emergency and distress frequency available for use by survival craft stations and equipment used for survival purposes which are also equipped to transmit on the frequency 121.5 Mc/s. Use of 243 Mc/s shall be limited to transmission of signals and communications for survival purposes. Types A_3 and A_2 emission may be employed.

* * * * *

(aa) In addition to the frequencies specifically designated in this part, a licensee, when operating an aircraft station outside the United States as defined in the Communications Act of 1934, as amended, may use such frequencies as may be required to maintain communications by the authority having jurisdiction over the ground stations with which it is desired to maintain communication.

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

[F.R. Doc. 65-5532; Filed, May 26, 1965; 8:47 a.m.]

[Docket No. 15772, RM-656; FCC 65-451]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, Television Broadcast Stations, Casper, Wyoming

1. The Commission has before it for consideration the Notice of Proposed Rule Making in this proceeding,[1] which asked for comment on a proposal to reserve Channel 6+, already assigned to Casper, Wyo., as a noncommercial educational channel. No comments were received, although letters from the Governor of Wyoming and the National Association of Educational Broadcasters have been received endorsing the proposal.

2. The petition was submitted by the Natrona County High School District and Natrona School District Number Two of Casper. These public elementary and secondary schools in Casper (located in Natrona County) have been using television for classroom instructional purposes for the past five years, using the facilities of Station KTWO-TV, Channel 2+ at Casper, and also the local CATV system to bring in Denver's ETV Station KRMA-TV. The ETV programs broadcast over KTWO-TV are also used by other school systems within the station's service area, and these schools have formed the "Greater Wyoming Instructional Council" to help defray the expense of the educational programming on KTWO-TV. An educational station at Casper is felt to be a normal outgrowth of existing activities, which would permit ETV programming to fit the needs of Wyoming schools without the limitations of the present arrangement, i.e., the need for relying on material produced for the Denver school system and the difficulty of clearing time on the local commercial station. Such a station, it is stated, would provide assistance to all schools throughout the station's service area and in particular make available specialized instruction and educational techniques otherwise unavailable to the individual schools.

3. The public interest would be served by the reservation of Channel 6+ at Casper as a noncommercial channel, inasmuch as substantial benefits would flow from the operation. Petitioners state that they have already commenced work on the overall plan for such an ETV operation and the apparent intention is to finance the operation through the Television Council, State and local agencies and the Federal matching-fund program. Financing would be facilitated by our presently making the reservation. If demand for an additional commercial TV station at Casper arises, it can be met by use of a UHF channel assigned there, or, if it appears appropriate, an additional VHF assignment possibly could be made.

4. In view of the foregoing: *It is ordered*, That effective July 1, 1965, the Television Table of Assignments (§ 73.606(b) of the Commission's rules and regulations) is amended, to read as follows:

§ 73.606 Table of frequency assignments.

* * * * *

(b) * * *

City	*Channel No.*
Casper, Wyo.	2+, [6]6+

* * * * *

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

Adopted: May 19, 1965.

Released: May 21, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5533; Filed, May 26, 1965; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Salt Plains National Wildlife Refuge, Oklahoma

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 28.28 Special regulations; public access, use, and recreation; for individual wildlife refuge areas.

OKLAHOMA

SALT PLAINS NATIONAL WILDLIFE REFUGE

Portions of the Salt Plains National Wildlife Refuge, Jet, Okla., are open to public access, use, and recreation, subject to the provisions of Title 50, Code of Federal Regulations, and the public use area is designated on maps available at the refuge office and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103, and subject to the following special conditions:

(1) The public is permitted to enter upon the Great Salt Plains from the west along designated routes of travel to collect gypsum (selenite) crystals. Vehicles will be allowed only along such travel lanes and parking areas as are posted for such activity.

[1] Adopted Dec. 23, 1964, released Dec. 28, 1964 (FCC 64-1204; 29 F.R. 19262).

[2] Commissioner Bartley by dissenting and Commissioner Wadsworth absent.

(2) Each individual may collect for his personal use up to a maximum of 10 pounds plus one crystal or crystal cluster per day.

(3) Digging for crystals will be confined to areas posted for such activity.

(4) The period of use shall be on Saturdays, Sundays and holidays from May 30 through October 10, 1965, inclusive. Gates will be opened to the collecting area at 7 a.m. and closed at 5:30 p.m.

The provisions of this special regulation supplement the regulations which govern public access, use, and recreation on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through October 10, 1965.

WILLIAM T. KRUMMES,
Acting Regional Director,
Albuquerque, N. Mex.

MAY 21, 1965.

[F.R. Doc. 65-5539; Filed, May 26, 1965, 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Ch. I]

[327.1]

FLUORSPAR IMPORTED IN RAILROAD CARS

Change in Method of Sampling for Analysis

A notice of a proposal to change the method of sampling certain fluorspar for customs analysis purposes was published in the FEDERAL REGISTER on March 6, 1965 (30 F.R. 2952). It has come to the attention of the Bureau that the phrase "Change in Method of Analyzing" used in the heading of the notice may possibly be misconstrued to mean that it is proposed to change the method presently in use for chemically analyzing the fluorspar. The proposal is not intended to change the method of chemical analysis of the samples but to provide for combining assay samples taken from each railroad car of a multiple car shipment for the purpose of obtaining a composite sample which will be representative of the contents of all the cars. In addition, the phrase "on the basis of the dry weights of the fluorspar in the cars," has been eliminated as unnecessarily restrictive, since samples may be accurately composited on either the wet or dry basis without affecting the final assay result, which is always given on the dry basis. This notice is given to clarify in these two respects the proposal published on March 6, 1965.

When a consignment of fluorspar, consisting of multiple cars in a railroad train, is shipped from one supplier to one consignee, the method of sampling employed by the Bureau of Customs has been to take a test sample from each car and to classify the contents of each car for customs purposes on the basis of the laboratory test of the sample taken from each car.

It has been determined that, under the circumstances described, assays of samples of each individual railroad car are not required for tariff classification or other customs purposes. Therefore, notice is hereby given that under the authority of general headnote 12 of the Tariff Schedules of the United States (19 U.S.C. 1202), it is proposed to continue to take samples from each car of a multiple car shipment of fluorspar from one consignor to one consignee, and to composite such samples to arrive at a final sample the chemical composition of which, as determined by laboratory tests, will be used to classify the contents of the cars in the multiple car shipment under the provisions of the Tariff Schedules of the United States.

This notice is published pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). Prior to final action on the proposal, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Washington, D.C., and received within a period of 30 days from the date of the publication of this notice in the FEDERAL REGISTER.

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

Approved: May 20, 1965.

JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 65-5553; Filed, May 26, 1965; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Everglades National Park, Florida

Notice is hereby given that pursuant to the authority contained in section 3 of the act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), 245 DM-I (28 F.R. 915), National Park Service Order No. 14 (19 F.R. 8824), Regional Director, Southeast Region Order No. 3 (21 F.R. 1493) as amended, it is proposed to amend § 7.45 of Title 36, Code of Federal Regulations, as is set forth below. The purpose of this amendment is to re-word and re-group the existing regulations for clarity; and to add new paragraphs which will facilitate management of the area, conserve the natural resources, and preserve the wilderness values.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Superintendent, Everglades National Park, Post Office Box 279, Homestead, Fla., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 7.45 is deleted in its entirety and a new § 7.45 is added to read as follows:

§ 7.45 Everglades National Park.

(a) *Mining*—(1) *Scope.* The regulations in this section are made, prescribed, and published to govern the exploration, development, extraction and removal of oil, gas, or other minerals on lands acquired for Everglades National Park subject to the reservation of the oil, gas or mineral rights therein as authorized pursuant to the acts of October 10, 1949 (63 Stat. 733) and of July 2, 1958 (72 Stat. 280), which are hereinafter referred to as "the acts of 1949 and 1958."

(2) *Coordination of activities.* The paramount purpose of the Government in creating national parks and acquiring lands therefor is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. The acts of 1949 and 1958 provide in part that the mineral rights reserved pursuant to those acts in lands acquired for Everglades National Park shall be exercised by the owners subject to reasonable rules and regulations which the Secretary of the Interior may prescribe for the protection of the Park; and further provide that all operations in the exercise of such rights shall be carried on under such regulations as the Secretary may prescribe to protect the lands and areas for Park purposes. Accordingly, all parties in interest under mineral reservations are required to conform to, and be governed by, the regulations in this section pertaining to mineral operations and to all other regulations applicable to Everglades National Park: *Provided*, That such regulations shall not prevent the parties in interest from exercising their right to explore for, develop, extract, and remove the oil, gas and other minerals from the Park area in accordance with sound conservation practices.

(3) *Operator.* As used in this section, an operator shall mean anyone having the right (whether as owner of a reserved mineral interest, lessee, holder of operating rights, or otherwise) to prospect or explore for, develop, produce, or remove oil, gas, or other minerals under a mineral reservation pursuant to the acts of 1949 and 1958.

(4) *Registration.* Before entering the Park for the purpose of conducting any operations under a reserved mineral interest, the operator shall register with the Superintendent. Such registration shall show the operator's name and address, the name and address of operator's local agent in charge of operations, the approximate location where operations are to be conducted, a brief description of the proposed operations and the type of equipment to be used, and reference or citation to the lease, operating agreement or other instrument upon which the operator's right to conduct operations is based.

(5) *Surface use restrictions.* The surface use of land within the Park shall be restricted to purposes of mineral exploration, development and production. The operator shall take such reasonable steps as may be needed to prevent operations from unnecessarily causing or contributing to damage to any vegetation or tree growth or pollution of the waters of the park; and, to the extent not inconsistent with the terms of the reserved mineral interest, shall conduct operations in such

manner as to safeguard and protect the wildlife, scenic features, and recreational values and improvements. The operator shall secure approval of the Superintendent as to the location and purpose of any surface structures or buildings to be erected. The operator shall take such reasonable steps as may be needed to prevent and suppress forest, brush, or grass fires. Upon termination of operations, or at any time prior thereto as required by the Superintendent as to unneeded facilities, the operator shall fill any sump holes, ditches, and other excavations, remove structures and debris or cover same so as to restore the surface of the land to its former condition in a manner satisfactory to the Superintendent. The right to explore for or extract gas, oil, or other minerals from lands upon which there are mineral reservations shall be exercised in such manner that surface operations therefor will at no time come within 500 feet of any structure, road, or facility used for Park purposes.

(6) *Access ways.* Access ways by water, or for roads, vehicle trails, or pipelines, shall be over routes approved by the Superintendent and subject to such reasonable restrictions as may be imposed by the Superintendent for protection of the Park. Each application for an access way shall be accompanied by a map showing the location of the property to be served and the location of the proposed water route, road, vehicle trail, or pipeline.

(7) *Lessee under a mining lease.* A lessee under a mining lease which was granted by the State of Florida prior to the enactment of the acts of 1949 and 1958, and which is still in force, being an operator having the right to prospect or explore for, develop, produce, or remove oil, gas, or other minerals, shall comply with the requirements of the regulations in this paragraph.

(b) *Use of Park roads.* The use of federally owned roads within Everglades National Park by trucks and other conveyances for hauling out of the Park for commercial purposes, fish, bait, aquatic life, or other edible products from the Park waters is prohibited.

(c) *Prohibited conveyances.* (1) Vehicles designed to operate cross-country, commonly referred to as "glades buggies", are prohibited.

(2) Amphibious wheeled vehicles shall be operated only on roadways and water areas open to public travel and use. Operation of this type vehicle on any beach or other land area is prohibited.

(3) Vessels or other conveyances with underwater propellers or jets shall not be operated in the grass area of the 'glades.

(4) Vessels equipped with a propeller above the water line, commonly referred to as an "airboat" are prohibited.

(d) *Applicability of other laws.* Except as otherwise provided in this section and by Part 1 of this chapter, all fishing, boating, and other related activities in Everglades National Park shall be done in accordance with the laws of the State of Florida, and other applicable federal laws.

(e) *Special protection of aquatic life.* (1) The killing, wounding, capturing, molesting, removing, or disturbing in any manner of any aquatic vegetation or wildlife, including but not limited to sponges, sea fans, sea whips, other gorgonias, coral, sea turtle, terrapin, porpoise, manatee, whale, alligator, crocodile, and eggs or nests thereof, is prohibited: Except, That this will not apply to fish wherever fishing is permitted in accordance with applicable provisions of this chapter. The unauthorized possession within the Park of any vegetation or of the dead body of any wildlife, or any part thereof, or of the eggs of any wildlife, shall be prima facie evidence that persons having the same are guilty of violating the provisions of this regulation.

(f) *Closed areas.* When necessary to protect nesting or roosting birds, or nesting crocodiles or sea turtles, the Superintendent may close any area upon the posting of appropriate signs.

(g) *Fishing.* The regulations apply to all waters within the boundaries of Everglades National Park as described in the act of July 2, 1958 (72 Stat. 280).

(1) All persons taking fish from any of the waters of the Park by any method and not using such fish because of size, edible quality, or other reasons, shall immediately release and return such fish alive to the waters from which taken. No such fish may be left on any bank, shore, beach, dock, fish cleaning table, or at any other place out of water.

(2) The placing or depositing of fish eggs, fish roe, food, or other substance in any inland lake, bay, canal, river or other inland body of water, for the purpose of attracting, collecting, or feeding fish is prohibited.

(3) Persons engaged in commercial fishing in the waters of the Park open for this purpose must possess a commercial fishing license as provided by Florida laws.

(4) The Superintendent may require all persons fishing commercially within the Park, on waters open for this purpose, to obtain an annual commercial fishing permit.

(5) Seahorses, starfish, tropical fish, and non-game fresh water fish shall not be taken for commercial purposes.

(6) The taking of oysters or clams from the waters of the Park for sale or commercial use is prohibited, provided, that visitors may gather only by hand or rake, a reasonable amount of oysters or clams for personal use only,

(7) The taking of crawfish by any method for commercial purposes is prohibited. Crawfish may be taken by hand or bully net during the open season prescribed by the State of Florida.

(8) Bully nets may have a spread of not more than 3 feet and a pocket of not more than 3 feet measured from rim to tip.

(9) Cast nets shall be of the type thrown by hand by one person and are not to exceed 18 feet in diameter of spread.

(10) Traps for the purpose of taking crabs shall be used only by holders of non-transferable annual permits issued by the Superintendent and otherwise regulated in accordance with the following:

(i) Crab traps permits for over 5 traps and for a maximum of 200 traps will be issued only to applicants who possessed crab trap permits in the Park prior to January 1, 1964. Permittees shall service their own traps.

(ii) Crab traps shall be made of wood lath with one rectangular opening not to exceed 16 square inches in area and the longer dimension shall not exceed 5 inches. Crab traps shall be buoyed; the buoys shall be of an approved type and color and shall have the permit number painted on in at least two-inch numerals. Only male blue and stone crabs may be taken. The claws of stone crabs must be 4 inches in overall length and remain attached to the body of the crab while in the Park. The equipment or material used in crab trapping shall be permitted in the Park only during the Florida stone crab open season.

(iii) Bait traps shall not be more than two feet by two feet by one foot, built of ¼" to ½" wire mesh containing not more than two openings, two and one-half inches by one inch or smaller. Bait traps must be buoyed and shall be identified by painting the boat registration number on the buoy. Not more than three bait traps per boat shall be permitted. Bait traps shall be used for the taking of minnows only. A minnow shall be defined for the purposes of this paragraph as being a small non-game fish under six inches in length of a species commonly used as bait, but does not include silver mullet or other fish protected by other federal or Florida laws. Bait fish shall not be taken commercially.

(iv) Bait and crab traps shall be used only in the following described waters of the Park:

Blackwater Sound, Buttonwood Sound, and that portion of Florida Bay south of a line drawn from the southern tip of Boggy Key to the northern tip of Waleback Key, to the southeastern tips of South Nest Key, North Butternut Key, and Bottle Key, and thence southwesterly following the southside of a series of banks to the southern tip of Low Key, Stake Key, and Manatee Key, thence westerly to a small unnamed key north of Jimmies Channel, thence south following shoal waters to Captains Key, thence westerly following shoal waters touching a series of unnamed keys to Panhandle Key, thence southerly past Gopher Keys, thence following Twin Key Banks to Twin Keys, thence southerly to North Peterson Key, thence westerly along shoal waters to the south tip of Buchanan Keys and continuing westerly to the southernmost Lower Arsniker Key, thence northwesterly following the west bank of Nine Mile Bank to Blue Bank and continuing northwesterly to Sandy Key, thence to the Intracoastal Waterway Marker No. 2 south of East Cape Sable and in addition the area south and west of a line connecting points from said marker to points one mile offshore from East Cape, Middle Cape, Northwest Cape, Shark Light, Shark Point, Highland Point, Porpoise Point, Seminole Point, Mormon Key, Pavilion Key, Rabbit Key, Indian Key Light, to the Park boundary corner at approximately 25°50' N. latitude, 80°30' W. longitude.

Traps shall not be placed closer than 200 feet to any key or marked waterway.

(11) Bait nets shall not be more than 100 feet in length, nor more than four feet in depth and shall be used for the taking of minnows for noncommercial bait purposes only.

(12) Gill nets shall not exceed 400 yards in length and shall have a stretch mesh of not less than two and one-half inches measured from knot to knot after being shrunk. Twine used in gill nets shall be only 9/20 cotton, 16/3 linen, or number 139 nylon. Only one lead line and one cork line shall be permitted and neither lead nor cork line shall be more than ¼ inch in diameter. No purses, pockets, trammels, or special devices for entrapping or catching fish shall be used on gill nets, except for commercial pompano fishing as provided in subparagraph 13. Gill nets shall not be tarred or contain hoops. Gill nets may be tied together and used in groups of not more than three provided that the nearest net or groups of nets shall be at least 1,000 yards from any other gill net. Gill nets shall not be dragged and shall be taken in by hand only.

(13) Trammel nets may be used for taking pompano only. Trammel nets shall be made of number 9 twine having a stretch mesh of not less than 14 inches, on gill nets of not less than 4⅜-inch stretch mesh, made with 139 nylon, 9/20 cotton, or 16/3 linen twine only, and shall not exceed 1,200 yards in length. Only one cork line and one lead line may be used, each line being ¼ inch in diameter. Trammel nets shall not be dragged and shall be taken in by hand only. When used at night such nets shall be marked by lighted buoys. Trammel nets shall not be used within the Florida Bay area of the Park.

(14) Dip nets having a spread of not more than three feet and a pocket of not more than three feet measured from rim to tip may be used for taking shrimp for personal use only.

(15) Stopnetting is prohibited in the waters of the Park. Stopnetting is hereby defined as the placing, setting, or using of nets in any manner that closes the mouths of rivers, lakes, streams, bays, passes or bayous, or used on any bank, flat, or water bottom in a manner that causes fish to become suffocated because of the lowering tides and prevents their passage to deep water. Possession of fish with mud in their gills shall be prima-facie evidence of stopnetting.

(16) Possession of gill nets, trammel nets, crab traps or other commercial fishing equipment while in closed waters as provided by this section shall be prima-facie evidence of engaging in prohibited commercial fishing activities in said areas.

(17) No other net, seine, trap, spear, explosive or other device for entrapping, catching, killing, or taking fish, bait or other similar edible products of the water may be used or may be in possession of any person within the Park except hook and line or a pole and line, held in the hand.

(18) No person shall leave unattended for more than five (5) days any fish net, bait trap, crab trap, or other device used in catching products of the sea.

(19) The following areas in the vicinity of Royal Palm Visitor Center are closed to all fishing: Township 58 South, Range 37 East, Sections 10 through 15, inclusive.

(20) The following area bordering the Shark Valley Loop Road from Tamiami Trail south is closed to all fishing: Sections 19, 30, 31, Township 54 South, Range 36 East. Sections 6, 7, 18, 19, and 30; Township 55 South, Range 36 East.

(21) The following described areas are closed to fishing with nets, seines, or any other method of taking fish or other products of the sea for sale, and for the use of nets or seines for non-commercial purposes:

(i) All inland bays, bights, canals, lakes, rivers, or other bodies of water lying inland from the shores of Florida Bay and in addition the area north of a line drawn from Christian Point to Shark Point to Mosquito Point, including Otter Key, thence to Crocodile Point to Terrapin Point to Madeira Point and then following the mainland shoreline so as to include Little Madeira Bay, Mud Bay, Joe Bay and Snag Bay, to Rocky Creek, thence along the south shore of Long Sound, to Manatee Creek, so as to include Long Sound.

(ii) All inland bays, lakes, canals, rivers and other bodies of water lying inland from the nearest recognizable mainland shoreline from Flamingo to East Cape Sable and north to the mouth of the Turner River and then north along that part of Chokoloskee Bay which is within the Park. For the purpose of this paragraph, the mainland shoreline shall be considered to be that area where the west coast rivers flow into the Gulf of Mexico.

(22) West Lake Pond, Coot Bay Pond, and other small ponds bordering the Park Road within one mile of Coot Bay Pond shall be closed to fishing during those periods as determined by the Superintendent that such action is necessary to protect feeding and roosting birds. Notice of closing shall be given by the posting of appropriate signs at these areas.

(23) Only the passes known as Indian Key Pass, Rabbit Key Pass, and Chokoloskee Pass in the vicinity of Everglades and Chokoloskee Island may be used to bring in or take out nets, product of the sea, and gear which is legal in State waters, but illegal in Park waters.

(h) *Boating.* (1) Cuthbert Lake shall be closed to motorboats; *Provided, however,* That when bird rookery conditions make it administratively desirable to do so, sightseeing boats operated by the authorized Park concessioner may be permitted on Cuthbert Lake.

(2) West Lake Pond, West Lake, Long Lake, The Lungs, and all connecting creeks inland from the shoreline of Garfield Bight shall be closed to all vessels during those periods, as determined by the Superintendent, that these areas are being used by feeding birds. At all other times, these areas shall be open only to hand-propelled vessels or Class A motorboats powered by motors not to exceed 5½ horsepower that can be launched by hand. Notice of closing will be given by the posting of appropriate signs at these areas.

(3) Except to effect a rescue or unless otherwise specifically authorized, no person shall land on the keys or beaches of Florida Bay except those marked by signs denoting the area open.

(4) Motorboats are prohibited in the following inland fresh water areas: Long Pine Key Lake, Pine Glade Lake, Sisal Pond, Big Fiscus Pond, Sweetbay Pond, Paurotis Pond, Nine Mile Pond, Royal Palm Pond, Pine Island Pond, and Parachute Key Ponds.

(5) Areas closed to motorboats of more than 5½ horsepower are as follows: Bear Lake, Fox Lakes, Gator Lake, Mud Lake, Homestead Canal, the flooded Cape Sable Flats, The Lungs, Alligator Creek and Little Sable Creek.

(6) Waterborne vessels primarily designed for living quarters or used for that purpose, commonly referred to as a "houseboat," shall not be placed in or operated in the waters of the Park for more than 14 days without first obtaining a permit issued by the Superintendent, Said permit will prescribe anchorage location, length of stay, sanitary requirements, and such other conditions as considered necessary.

(7) Boat races, regattas, pageants, and other spectacular types of water recreation are prohibited within the Park.

(8) No person shall tamper with or enter, start, move or cause to be moved, a moored or docked boat not lawfully under his control. This restriction shall not apply to employees of the National Park Service or other employees of the Federal Government or duly authorized officials in connection with their official duties.

(9) Except where different speed limits are indicated by posted signs or markers, speed of boats shall not exceed 40 miles per hour in the waters of the Park.

(10) The following area bordering the Shark Valley Loop Road from Tamiami Trail south is closed to all boating: Sections 19, 30, and 31, Township 54 South, Range 36 East; Sections 6, 7, 18, 19, and 30, Township 55 South, Range 36 East.

STANLEY C. JOSEPH,
Superintendent,
Everglades National Park.

[F.R. Doc. 65-5519; Filed, May 26, 1965; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-WE-9]

CONTROL ZONE, TRANSITION AREAS, AND CONTROL AREA EXTENSION

Proposed Designation and Revocation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Montague, Calif., terminal area.

The Federal Aviation Agency has completed a comprehensive review of the terminal airspace structure requirements in the Montague, Calif., terminal area, including studies attendant to the implementation of the provisions of CAR amendments 60-21/60-29, and is considering the following airspace actions:

1. Designate the Montague control zone as that airspace within a 5-mile radius of Siskiyou County Airport, Mon-

tague, Calif. (latitude 41°46'55" N., longitude 122°28'00" W.), and within 2 miles each side of the Siskiyou TACAN 194° radial, extending from the 5-mile radius zone to 7 miles SW of the TACAN, excluding the airspace within a 1-mile radius of Montague-Yreka Airport (latitude 41°43'50" N., longitude 122°32'45" W.).

2. Revoke the presently designated Montague control area extension.

3. Designate the Montague transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Siskiyou County Airport, Montague, Calif. (latitude 41°46'-55" N., longitude 122°28'00" W.); that airspace extending upward from 1,200 feet above the surface bounded on the S by latitude 41°25'00" N., on the W by V-23, on the NW by a line extending from latitude 41°55'00" N., longitude 122°45'00" W., to latitude 42°04'00" N., longitude 122°38'00" W., on the N by latitude 42°04'00" N., on the E by the arc of a 40-mile radius circle centered on the Klamath Falls, Oreg., VORTAC, and on the SE by a line extending from latitude 41°41'30" N., longitude 122°10'00" W., to latitude 41°25'00" N., longitude 122°20'00" W.

4. Designate the Fort Jones, Calif., transition area as that airspace extending upward from 9,500 feet MSL bounded on the NE by V-23 and V-23W, on the S by latitude 41°19'00" N., and on the W by longitude 122°31'00" W.

The controlled airspace proposed for designation herein will provide protection for aircraft executing prescribed instrument approach, departure, radar vectoring, and holding procedures within the Siskiyou County terminal area. Control tower service will be furnished by the U.S. Air Force. Weather reporting service will be furnished by the FAA's Flight Service Station at Montague, Calif.

The designation of a transition area with a floor of 9,500 feet m.s.l. at Fort Jones would provide protection for aircraft executing holding procedures prescribed for the Fort Jones VOR.

At a future date, after adjacent terminal areas have been examined, it is planned that the floors of the airways adjacent to Siskiyou County Airport will be raised to 1,200 feet or more above the surface.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on May 20, 1965.

WM. SLADE HARDEE,
Acting Director, Western Region.

[F.R. Doc. 65-5509; Filed, May 26, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-WE-33]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would designate a part-time control zone and a transition area at Libby AAF, Fort Huachuca, Ariz.

The Federal Aviation Agency has completed a comprehensive review of the terminal airspace structure requirements in the Fort Huachuca area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, and proposes the following airspace actions:

1. Designate the Fort Huachuca control zone as that airspace within a 5-mile radius of Libby AAF, Fort Huachuca, Ariz. (latitude 31°35'00" N., longitude 110°20'30" W.), and within 2 miles each side of the 114° bearing from the Libby AAF RBN, extending from the 5-mile radius zone to 14 miles SE of the RBN. This control zone shall be effective from 0600 to 2000 hours, local time, Monday through Friday, and from 0600 to 1800 hours, local time, Saturday and Sunday, excluding Federal legal holidays.

2. Designate the Fort Huachuca transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Libby AAF, Fort Huachuca, Ariz. (latitude 31°35'00" N., longitude 110°20'30" W.), and within 2 miles each side of the 114° bearing from the Libby AAF RBN, extending from the 6-mile radius area to 14 miles SE of the RBN; that airspace extending upward from 1,200 feet above the surface bounded on the E by longitude 110°00'00" W., on the S by latitude 31°25'00" N., on the W by longitude 110°30'00" W., on the N by the Tucson, Ariz., transition area, and on the NE by V-66.

The controlled airspace proposed for designation herein will provide protection for aircraft executing prescribed instrument approach, departure, radar vectoring, and holding procedures within the Libby AAF terminal area. Approval from appropriate authority would be required before using those portions of controlled airspace proposed for designation within R-2303A and R-2303B.

The control zone will be in effect from 0600 to 2000 hours, local time, Monday through Friday, and from 0600 to 1800 hours, local time, Saturday and Sunday, excluding Federal legal holidays, the hours during which the Libby AAF control tower is in operation.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of Section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on May 19, 1965.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 65-5510; Filed, May 26, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-SO-25]

CONTROL ZONE AND TRANSITION AREA

Alteration of Proposed Redesignation

In a notice of proposed rule making published in the FEDERAL REGISTER on May 7, 1965 (30 F.R. 6399) it was stated, in part, that the Federal Aviation Agency proposed to redesignate the transition area at Memphis, Tenn.

The proposed redesignated portion of the Memphis transition area extending upward from 700 feet above the surface was described as follows: That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Memphis Metropolitan Airport (latitude 35°03'00" N., longitude 89°58'15" W.); within 2 miles each side of the Memphis Runway 9 ILS localizer W course, extending from the 7-mile radius area to 8 miles W of the OM; within 2 miles each side of the Memphis Runway 9 ILS localizer E course, extending from the 7-mile radius area to 16 miles E of the airport; within 2 miles each side of the Memphis Runway 35 ILS localizer S

course, extending from the 7-mile radius area to 8 miles S of the OM; within an 8-mile radius of the West Memphis Airport (latitude 35°08'24" N., longitude 90°14'00" W.); within an 8-mile radius of the Twinkle Town Airport (latitude 34°55'45" N., longitude 90°10'05" W.).

Subsequent to the issuance of the notice of proposed rule making an accurate plotting of the Twinkle Town Airport revealed that a 700-foot transition area extension, extending from the 8-mile radius area at Twinkle Town Airport to the Memphis VORTAC, is required for the protection of the proposed VOR approach procedure to Twinkle Town Airport.

Also, the proposed redesignated 700-foot transition area would not provide protection for a proposed new VOR approach to the Memphis Metropolitan Airport. In order to provide adequate controlled airspace for this approach an extension to the 700-foot transition area would be required along the Memphis VORTAC 354° True radial beyond the Memphis Metropolitan Airport 7-mile radius area to 8 miles north of a 058° bearing from the Brooks radio beacon.

In order to incorporate the two aforementioned 700-foot transition area extensions in the proposal to redesignate the Memphis transition area, the Federal Aviation Agency hereby alter the proposal by redescribing the portion of the proposed Memphis transition area extending upward from 700 feet above the surface as follows: That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Memphis Metropolitan Airport (latitude 35°03'00" N., longitude 89°58'15" W.); within 2 miles each side of the Memphis Runway 9 ILS localizer W course, extending from the 7-mile radius area to 8 miles W of the OM; within 2 miles each side of the Memphis Runway 9 ILS localizer E course, extending from the 7-mile radius area to 16 miles E of the airport; within 2 miles each side of the Memphis Runway 35 ILS localizer S course, extending from the 7-mile radius area to 8 miles S of the OM; within 2 miles each side of the Memphis VORTAC 354° radial, extending from the 7-mile radius area to 8 miles N of a 058° bearing from the Brooks RBN; within an 8-mile radius of the West Memphis Airport (latitude 35°08'24" N., longitude 90°14'00" W.); within an 8-mile radius of the Twinkle Town Airport (latitude 34°55'45" N., longitude 90°10'05" W.); within 2 miles each side of the Memphis VORTAC 266° radial, extending from the 8-mile radius area to the VORTAC.

The proposals to redesignate the Memphis control zone, Memphis transition area extending upward from 1,200 feet above the surface, and the transition area at Tupelo, Miss., are not affected by this supplemental notice of proposed rule making.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on May 19, 1965.

ARVIN O. BASNIGHT,
Director, Southern Region.

[F.R. Doc. 65-5511; Filed, May 26, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-SW-4]

FEDERAL AIRWAY

Withdrawal of Proposed Alteration

On March 6, 1965, Federal Register Document 65-2344 was published in the FEDERAL REGISTER (30 F.R. 2952), and stated that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign VOR Federal airway No. 83, in part, from Santa Fe, N. Mex., direct to Alamosa, Colo.

Subsequent to the publication of the notice, an additional analysis of the proposal was executed, precipitated, in part, by public comments and it was determined that the proposed realignment of V-83 would have an adverse effect on aviation operations in the Taos, N. Mex. area.

In consideration of the foregoing, Airspace Docket No. 65-SW-4, published as Federal Register Document 65-2344, and the proposal set forth therein are hereby withdrawn.

This withdrawal of notice of proposed rule making is made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 21, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-5512; Filed, May 26, 1965; 8:46 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 65-WA-15]

JET ROUTE

Withdrawal of Proposed Designation

On March 9, 1965, Federal Register Document No. 65-2405 was published in the FEDERAL REGISTER (30 F.R. 3225), and stated that the Federal Aviation Agency was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a jet route from Oakland, Calif., via Jet Route No. 80, to Wilson Creek, Nev.; Hanksville, Utah; Gunnison, Colo.; thence via Jet Route No. 10 to Denver, Colo. The purpose of the proposal was to provide an alternate Denver-Oakland route in the event unfavorable meteorological conditions were encountered on the primary route, and to relieve air traffic congestion over Grand Junction, Colo.

Recently, a change was made to the Denver-Salt Lake City-Los Angeles ARTC Centers boundaries in the vicinity of Hanksville, Utah. The change was made to facilitate inter-Center coordination so that the heavy air traffic on J-80/J-60 could proceed between the Denver-Salt Lake City Centers or Denver-Los Angeles Centers, as appropriate, without entering the area of a third center. Prior to the recent boundary change, traffic on J-60 had to traverse a comparatively short segment of the Salt Lake City Center area between areas of the Denver and Los Angeles Centers. As a result of the boundary change, designation of the proposed jet route would create an intolerable air traffic congestion point at Hanksville. Hanksville is within the Denver area and is located approximately four minutes from the Salt Lake City Center area, via the proposed route, and approximately three minutes from the Los Angeles Center area via J-60. As a result, northeastbound traffic via these two routes converging on Hanksville near the Center boundary could compromise the air traffic service provided in this area.

The air traffic congestion problem over Grand Junction, referred to in the notice, is insignificant when compared with the one which would be created at Hanksville. The proximity of the proposed route to J-80 would result in no material variation in meteorological conditions over the two routes.

In consideration of the foregoing, Federal Register Document No. 65-2405 (30 F.R. 3225) is hereby withdrawn.

This withdrawal of the notice of proposed rule making is made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 20, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-5513; Filed, May 26, 1965; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 12782; FCC 65-424]

COMPETITION AND RESPONSIBILITY IN NETWORK TELEVISION BROADCASTING

Order Extending Time for Filing Comments

1. The Commission has before it petition of Columbia Broadcasting System, Inc., for Procedural Relief, petition of CBS Television Affiliates Association, petition of National Broadcasting Company, Inc., for Procedural Relief and statement by ABC in support of the CBS petition.

2. The petitioners assert that they intend to file comments in the proceeding and that the time presently allowed for that purpose is inadequate. They request that (1) the Commission publish Part II of the Second Interim Report of the Office of Network Study[1] and (2) extend the time for filing comments in the notice until 180 days after the Commission has acted on those requests, with reply comments to be filed 60 days thereafter.

3. The factual bases for the Commission's rule making are identified in the notice and for the most part are contained in the public record of the Commission's Program Inquiry (Docket No. 12782). Where such is not the case, sources are clearly indicated in the notice of proposed rule making.

4. The Commission's transmittal letter to Chairman Harris of the House Committee on Interstate and Foreign Commerce dated February 4, 1963, stated that the proposed Part II of the staff report at that time had not been submitted to the Commission. Such is still the case but it is anticipated that Part II will be completed and submitted to the Commission within the reasonably near future and will be made public shortly thereafter.

5. The entire public record of the Program Inquiry has been continuously available as the Inquiry progressed. The last public proceedings were held early in 1962. Additional information is identified as to source in the notice. However, the Commission wishes to be entirely sure that it affords all parties including, of course, television networks, reasonable opportunity to give the important matters posed in the Commission's notice thorough and careful consideration before making comments. The petitioners have represented that they will be unable to give this matter adequate study, necessary analysis and consideration within the time presently allowed.

6. *Accordingly, it is ordered,* That the time for filing comments in this proceeding be extended from June 21, 1965, to October 21, 1965, and reply comments from July 21, 1965, to December 1, 1965.

Adopted: May 19, 1965.

Released: May 24, 1965.

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

[F.R. Doc. 65-5559; Filed, May 26, 1965; 8:49 a.m.]

[1] Request was also made in the petition for disclosure of "sources of other data" (i.e., directed to footnotes 23 and 30). No useful purpose would be served by further disclosure of the sources of these matters. They are inferences based on record evidence or "estimates" used to indicate a "trend" in the economics of program production. In both instances, the information as to their correctness is peculiarly within the knowledge of the network managers, who can, of course, submit any appropriate showing in these respects.

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Arizona 031306]

ARIZONA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

Notice of an application Serial No. Arizona 031306 for withdrawal and reservation of lands was published as Federal Register Document No. 62-3794 on page 3771 of the issue for April 19, 1962. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands will be at 10 a.m. on June 11, 1965, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 5 N., R. 1 E.,
Sec. 21, NW¼ and E½SW¼;
Sec. 23, S½;
Sec. 25, W½NE¼, NW¼, and S½;
Sec. 26;
Sec. 28, E½NW¼ and SW¼.
T. 4 N., R. 3 E.,
Sec. 10, NE¼.
T. 4 N., R. 4 E.,
Sec. 35, lots 3 and 4.
T. 4 N., R. 5 E.,
Sec. 31, NE¼SW¼ and N½SE¼.
T. 1 N., R. 8 E.,
Sec. 31, lot 1, E½NW¼, NE¼, N½SE¼, and SE¼SE¼.
T. 5 N., R. 1 W.,
Sec. 23;
Sec. 24, W½ and W½E½;
Sec. 29, SW¼SE¼;
Sec. 30, lots 2, 3, and 4, E½W½ and E½;
Sec. 31, lots 1, 2, 3, 4, 5, 6, and 7, NE¼, E½NW¼, NE¼SW¼, and N½SE¼.
T. 5 N., R. 2 W.,
Sec. 34, lots 1, 2, 3, and 4, N½S½ and N½;
Sec. 35, lots 1, 2, 3, and 4, N½S½ and N½.
T. 4 N., R. 3 W.,
Sec. 15, S½;
Sec. 19, lots 1, 2, 3, and 4, and E½E½;
Sec. 21, N½ and N½SE¼;
Sec. 23, NW¼;
Sec. 24.
T. 3 N., R. 5 W.,
Sec. 2, lots 1 and 2, S½NE¼ and S½;
Sec. 10;
Sec. 11, W½;
Sec. 14, NW¼, SW¼, and W½SE¼;
Secs. 15 and 16.
T. 3 N., R. 11 W.,
Sec. 19, lots 1 and 2, E½NW¼ and NE¼.
T. 4 S., R. 9 E.,
Sec. 21, NE¼, E½NW¼, and NE¼SE¼;
Sec. 22, N½ and N½S½;
Sec. 23, W½NE¼, NW¼, and N½SW¼;
Sec. 28, N½.

The area described aggregates 12,645.54 acres.

RAYMOND C. CLEGHORN,
Acting State Director.

MAY 12, 1965.

[F.R. Doc. 65-5523; Filed, May 26, 1965; 8:46 a.m.]

[Arizona 031307]

ARIZONA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

Notice of an application Serial No. Arizona 031307 for withdrawal and reservation of lands was published as Federal Register Document No. 62-9138 on page 9111 of the issue for September 13, 1962. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands will be at 10 a.m. on June 11, 1965 relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 5 N., R. 1 E.,
Sec. 27;
Sec. 28, E½.
T. 1 N., R. 7 E.,
Sec. 17, W½NW¼ and SE¼NW¼;
Sec. 18, NE¼ and E½NW¼.
T. 5 N., R. 1 W.,
Sec. 21, S½;
Sec. 22, SW¼, E½NE¼, SW¼NE¼, and S½NW¼;
Sec. 24, lots 1 and 2;
Sec. 28;
Sec. 29, NE¼, N½SE¼, and SE¼SE¼.
T. 3 N., R. 4 W.,
Sec. 6, lots 1 and 2, NE¼ and E½NW¼.
T. 4 N., R. 4 W.,
Sec. 14, N½ and SW¼;
Sec. 22, N½NE¼, SW¼NE¼, and NW¼;
Sec. 23, SE¼;
Sec. 24;
Sec. 25, N½;
Sec. 26;
Sec. 27, S½;
Sec. 28;
Sec. 31, lots 1, 2, 3, and 4, E½W½ and E½;
Sec. 32;
Sec. 33, N½.
T. 3 N., R. 5 W.,
Sec. 14, NE¼ and E½SE¼;
Sec. 17;
Sec. 18, lots 3 and 4, E½SW¼ and E½;
Sec. 19, lots 1, 2, 3, and 4, E½W½ and E½;
Sec. 20, N½;
Sec. 21, N½;
Sec. 22, N½.
T. 3 N., R. 6 W.,
Sec. 14, SE¼;
Sec. 15, N½;
Sec. 16, N½;
Sec. 17, N½;
Sec. 18, lots 1, 2, 3, and 4, E½W½ and NE¼;
Sec. 20, SE¼;
Sec. 23, SW¼;
Sec. 30, lots 3 and 4, and E½SW¼.
T. 3 N., R. 7 W.,
Sec. 22;
Sec. 23, N½ and SW¼;
Sec. 24, N½;
Sec. 25, SE¼;
Sec. 27, SE¼;
Sec. 28, N½ and SW¼;
Sec. 29;
Sec. 31, lots 1 and 2, E½NW¼ and NE¼.
T. 2 N., R. 8 W.,
Sec. 3, lots 1, 2, 3, and 4, and S½N½;
Sec. 4, lots 1 and 2, and S½NE¼;
Sec. 6, lots 1, 2, 3, 4, and 5, S½NE¼ and SE¼NW¼;
Sec. 10, S½.
T. 3 N., R. 8 W., partially surveyed,
Sec. 30, N½;
Sec. 31, NE¼;
Sec. 32, NE¼.
T. 3 N., R. 9 W.,
Sec. 19, lots 1 and 2, E½NW¼ and NE¼;
Sec. 20, N½;
Sec. 21, N½;
Sec. 22, N½SW¼;
Sec. 23, NE¼, N½NW¼, SE¼NW¼, SE¼;
Sec. 24;
Sec. 29, S½;
Sec. 30, E½NW¼ and SE¼.
T. 3 N., R. 10 W.,
Sec. 24, E½.
T. 3 N., R. 11 W.,
Sec. 7, lots 1, 2, 3, and 4, E½W½ and E½.
T. 3 N., R. 12 W.,
Secs. 11, 12, and 14;
Sec. 27, W½;
Sec. 32, S½.
T. 3 N., R. 13 W., partially surveyed,
Secs. 7, 19, and 20;
Sec. 24, S½;
Sec. 30.
T. 3 N., R. 14 W.,
Sec. 1, lots 1, 2, 3, and 4, S½N½ and SE¼;
Sec. 3, lots 3 and 4, S½ and S½NW¼;
Sec. 4, lots 1, 2, 3, and 4, and S½N½;
Sec. 5, lots 1 and 2, and S½NE¼;
Sec. 10;
Sec. 11, NW¼ and S½;
Sec. 13, W½;
Secs. 14 and 24.
T. 4 N., R. 14 W.,
Sec. 5, lots 1, 2, 3, and 4, S½N½, and S½;
Sec. 8, N½ and SE¼;
Sec. 9, W½;
Sec. 15, S½;
Sec. 18, lots 1, 2, 3, and 4, E½W½ and NE¼;
Sec. 19, lots 3 and 4, E½ and E½SW¼;
Sec. 20, W½;
Sec. 21, NE¼;
Sec. 22, NE¼;
Sec. 23, S½;
Secs. 25 and 26;
Sec. 27, NE¼;
Sec. 28, SW¼;
Sec. 29;
Sec. 32, NE¼SW¼;
Secs. 33, 35, and 36.
T. 5 N., R. 14 W.,
Sec. 19, lots 1 and 2, E½W½ and E½;
Sec. 29, N½ and SE¼;
Sec. 30, NE¼ and E½NW¼;
Secs. 32 and 33.
T. 5 N., R. 15 W.,
Sec. 2, lots 1, 2, 3, and 4, S½N½ and S½;
Sec. 11, N½ and SE¼;
Secs. 12 and 13;
Sec. 24, E½.
T. 6 N., R. 15 W.,
Sec. 3, lots 1, 2, 3, and 4, S½N½ and S½;
Secs. 10, 15, and 22;
Sec. 26, W½;
Sec. 27, N½ and SE¼;
Sec. 34, E½;
Sec. 35.
T. 7 N., R. 15 W.,
Sec. 6, lots 1, 2, 3, 4, 5, 6, and 7, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 18, lots 3 and 4, E½SW¼ and SE¼;
Sec. 22, S½;
Sec. 26, W½;
Secs. 27 and 34;
Sec. 35, W½.
T. 8 N., R. 15 W., partially surveyed,
Secs. 19, 30, and 31.

T. 7 N., R. 16 W., partially surveyed,
Sec. 1, lots 1, 2, 3, and 4, S½N½ and S½;
Sec. 2, lots 1, 2, 3, and 4, S½N½, SW¼, W½SE¼, and NE¼SE¼;
Sec. 3, E½;
Sec. 5;
Sec. 6, E½;
Sec. 8;
Sec. 10, E½;
Secs 11 and 13;
Sec. 14, NE¼.
T. 8 N., R. 16 W., partially surveyed,
Sec. 1, lots 1, 2, 3, and 4, S½N½ and S½;
Sec. 2, S½NE¼ and SE¼;
Secs. 3 to 6, inclusive, and secs. 9 to 15, inclusive;
Sec. 19, W½ and SE¼;
Secs. 22 to 26, inclusive;
Sec. 27, E½;
Secs. 30 and 31;
Sec. 34, E½;
Secs. 35 and 36.
T. 9 N., R. 16 W., partially surveyed,
Secs. 17, 18, 19, 20, 21, 28, 29, 30, 31, and 33;
Sec. 34, W½.
T. 8 N., R. 17 W., partially surveyed,
Secs. 3 and 4;
Sec. 9, N½;
Secs. 10, 11, 13, 14, 23, 24, and 25.
T. 9 N., R. 17 W., partially surveyed,
Sec. 3;
Sec. 8, W½ and SE¼;
Sec. 10, E½ and NW¼;
Sec. 11;
Sec. 12, S½;
Sec. 13;
Sec. 14, E½ and NW¼;
Sec. 16, W½ and SE¼;
Secs. 21 and 24;
Sec. 27, W½ and SE¼;
Sec. 28;
Sec. 32, E½;
Secs. 33 and 34.
T. 10 N., R. 17 W.,
Sec. 2, lots 3, 4, and 5, S½NW¼, NW¼SW¼, and E½SW¼;
Sec. 3, lots 1, 2, and 3, part lot 4, lots 5, 6, and 7, S½NE¼, SE¼NW¼, E½SW¼ NW¼, and SW¼;
Sec. 9, E½SE¼;
Sec. 10, lots 1, 2, 3, 4, and 5, W½ and SW¼SE¼;
Sec. 11, lots 1, 2, 3, 4, and 5, E½ and E½SW¼;
Sec. 14, W½;
Sec. 15;
Sec. 16, E½;
Sec. 21, N½ and SE¼;
Sec. 28, E½.
T. 11 N., R. 17 W.,
Sec. 29, SW¼.
T. 2 S., R. 8 E.,
Sec. 15, W½NE¼ and NW¼.
T. 4 S., R. 8 E.,
Sec. 13, NW¼NE¼, S½NE¼, and NE¼ SE¼.
T. 4 S., R. 9 E.,
Sec. 18, lots 3 and 4, and E½SW¼;
Sec. 25, N½NW¼;
Sec. 26, SW¼NE¼ and S½NW¼;
Sec. 27, S½NE¼.
T. 4 S., R. 10 E.,
Sec. 17, SW¼NE¼ and S½NW¼;
Sec. 19, lot 2 and SE¼NW¼.

The area described aggregates 99,213.78 acres.

RAYMOND C. CLEGHORN,
Acting State Director.

MAY 12, 1965.

[F.R. Doc. 65-5524; Filed, May 26, 1965; 8:46 a.m.]

[Arizona 035025]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Forest Service, United States Department of Agriculture, has filed an application, Serial Number Arizona 035025 for the withdrawal of the lands described below, from mineral location and entry under the General Mining Laws, subject to valid existing claims.

The Forest Service desires the lands to protect the government's planned investment in the administrative site and the three archeological ruins. The ruins are important historical sites, which are to be used for study, research and public use.

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, 3022 Federal Building, Phoenix, Ariz., 85025.

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

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.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN, ARIZ.

COCONINO NATIONAL FOREST

Clear Creek Ruin

T. 13 N., R. 5 E.,
Sec. 11, lots 3 and 4.
80.20 acres.

Winona Archeological Ruin

T. 21 N., R. 9 E.,
Sec. 11, SE¼SW¼SE¼ and S½SE¼SE¼;
Sec. 12, SW¼SW¼SW¼;
Sec. 13, W½NW¼NW¼ and NW¼SW¼ NW¼;
Sec. 14, NE¼NE¼, E½NW¼NE¼, NE¼ SW¼NE¼, and N½SE¼NE¼.
160.00 acres.

Chavez Pass Ruin

T. 16 N., R. 11 E.,
Sec. 12, SW¼SE¼SW¼;
Sec. 13, S½N½NW¼NW¼, S½NW¼ NW¼, N½NE¼SW¼NW¼, N½NW¼ SE¼NW¼, and W½NE¼NW¼.
70.00 acres.

The areas described in the Coconino National Forest aggregate approximately 310.20 acres.

APACHE NATIONAL FOREST

Administrative Site

T. 5 N., R. 30 E.,
Sec. 14, N½SE¼.
80.00 acres.

The area described in the Apache National Forest aggregates approximately 80.00 acres.

The total acreage in this withdrawal aggregates approximately 390.20 acres.

FRED J. WEILER,
State Director.

MAY 21, 1965.

[F.R. Doc. 65-5525; Filed, May 26, 1965; 8:47 a.m.]

[Idaho 016408]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

MAY 20, 1965.

The Bureau of Sport Fisheries and Wildlife has filed an application Serial Number Idaho 016408 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and mineral leasing laws and the disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended. The applicant desires the land for a fish hatchery site.

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, Post Office Box 2237, Boise, Idaho, 83701.

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. 32 N., R. 4 E.,
Sec. 10, lots 1, 2 and S½NW¼.

The area described aggregates 129.37 acres in Idaho County, Idaho.

EUGENE E. BABIN,
Acting Land Office Manager.

[F.R. Doc. 65-5526; Filed, May 26, 1965; 8:47 a.m.]

[Montana 070206]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 20, 1965.

On May 14, 1965 the Department of Agriculture filed an application, Serial Number Montana 070206, for the withdrawal of the lands described below, from location and entry under the mining laws, subject to existing valid claims in accordance with Executive Order 10355 of May 26, 1952 (17 F.R. 4831). The applicant desires the land in connection with

a recreation activities program for campground, packer camp, administrative site, summer home area, resort, and airport.

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, 316 North 26th Street, Billings, Mont., 59101.

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 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 Department of Agriculture.

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:

PRINCIPAL MERIDIAN, MONTANA

LEWIS AND CLARK NATIONAL FOREST

Benchmark Public Service Site and Recreation Area

T. 20 N., R. 10 W., unsurveyed but which probably will be when surveyed,
Sec. 9, SE¼SW¼NW¼, SW¼NE¼SW¼, E½NW¼SW¼, and S½SW¼;
Sec. 15, W½SW¼SW¼
Sec. 16, SW¼NW¼NE¼, W½SW¼NE¼, SE¼SW¼NE¼, E½NW¼, N½NW¼NW¼, SE¼NW¼NW¼, NW¼NE¼SE¼, S½NE¼SE¼, N½NW¼SE¼, SE¼NW¼SE¼, NE¼SW¼SE¼, N½SE¼SE¼, and SE¼SE¼SE¼;
Sec. 22, S½SW¼NE¼, S½SE¼NE¼, SW¼NE¼NW¼, NW¼NW¼, E½SW¼NW¼, SE¼NW¼, NE¼SW¼, NW¼NE¼SE¼, and NW¼SE¼.

Total area 630 acres.

R. PAUL RIGTRUP,
Manager, Land Office.

[F.R. Doc. 65-5527; Filed, May 26, 1965; 8:47 a.m.]

Office of the Secretary

UNDER SECRETARY AND CERTAIN OTHER OFFICIALS

Department Manual; Delegations of Authority

General provisions for delegation and redelegation of authority issued in the Departmental Manual under Part 200, and published in the FEDERAL REGISTER (24 F.R. 1348; 25 F.R. 324; 25 F.R. 325) have been revised and are republished as set forth below. Chapter 1 (Introduction) and Chapter 2 (Limitations) have been combined into Chapter 1 (Delegations of Authority), and Chapter 3 (Redelegations of Authority) has been renumbered Chapter 2. Part 210 (Office of the Secretary) published in the FEDERAL REGISTER (24 F.R. 1348) has been revised in part to restate the authority of the Under Secretary (210 DM 1.1), and correct reference statements.

The following material is a portion of the Departmental Manual and the numbering system is that of the Manual.

PART 200—GENERAL PROVISIONS

CHAPTER 1—DELEGATION OF AUTHORITY

200.1.1 *Scope.* A. The formal delegations of authority by the Secretary are set forth in the Delegation Series of the Departmental Manual. Delegations of authority made in Secretary's orders and other documents are being incorporated into Manual issuances as soon as it is feasible to do so.

B. Part 205, General Delegations, sets forth the delegations of authority that are made on a functional basis generally to heads of bureaus and certain other designated officials.

C. Part 210 sets forth the delegations of authority to the Secretarial Officers and the Solicitor.

D. Parts 211 to 299 set forth the delegations of authority that are made on an organizational basis.

E. The authority delegated in Part 205 and Parts 211 to 299 does not include any authority to perform the legal work related to the functions delegated. The authority of the Secretary respecting the legal work of the Department is delegated to the Solicitor in 210 DM 2.

F. The authority delegated in Parts 211–299 on an organizational basis does not include authority delegated in Part 205 on a functional basis.

.2 *Exercise of authority.* An officer or employee who is delegated or redelegated authority must exercise it in conformity with any requirements which the person making the delegation would be called upon to observe. Such requirements may be found in provisions of this Manual, statutes, regulations issued by other agencies—for example, the Civil Service Commission and GSA—or Executive orders. Delegated authority must be exercised in accordance with relevant policies, standards, programs, organization and budgetary limitations, and administrative instructions prescribed by officials of the Office of the Secretary or bureau. While failure to comply with administrative instructions not issued as limitations on authority will not impair the legality of an action as far as the public is concerned, it may be grounds for appropriate disciplinary measures.

.3 *Effect of delegation.* An officer who delegates or redelegates authority does not divest himself of the power to exercise that authority nor does the delegation or redelegation relieve him of the responsibility for action taken pursuant to the delegation.

.4 *Authority of the Secretary to delegate.* The Secretary of the Interior has broad power to delegate his authority. However, nothing in this Delegation Series empowers any officer or employee of the Department to exercise authority which the Secretary by the terms of the legislation, Executive Order or other source of authority may not redelegate. Thus, authority given to the President by law and delegated to the Secretary by Executive Order cannot be redelegated except as provided in the Executive Order. If the Executive Order confines redelegation to specified officers (as in Executive Orders 10355 and 10732), these specific positions and authorities must be referred to in the redelegation. These, however, are rare exceptions and generally apply to redelegations to Secretarial Officers.

.5 *General limitation—Code of Federal Regulation documents.* Delegations of authority in the Delegation Series do not include authority to issue documents which are amendments of or additions to the material in the Code of Federal Regulations initiated by the Department of the Interior unless such authority is specifically mentioned in the delegation.

PART 210—OFFICE OF THE SECRETARY

CHAPTER 1—SECRETARIAL OFFICERS

210.1.1 *Under Secretary.* A. The Under Secretary is authorized, subject to the limitation in 200 DM 1.4, to exercise the authority of the Secretary, including:

(1) The authority to issue amendments of and additions to the material in the Code of Federal Regulations.

(2) The authority delegated to the Secretary by section 1 of Executive Order 10250, as amended.

(3) The authority delegated to the Secretary by Executive Order 10355, relating to the withdrawal or reservation of certain lands by the issuance of public land orders.

(4) The administration of the oath of office or any oath required by law in connection with employment.

B. The Under Secretary may not redelegate the authority delegated to him in 210 DM 1.1 (2) and (3) above.

.2 *Assistant Secretaries.* The term Assistant Secretaries, as used in the Delegation Series, includes the Assistant Secretary, Mineral Resources; the Assistant Secretary, Public Land Management; and the Assistant Secretary, Water and Power Development; but does not include the Assistant Secretary for Fish and Wildlife and the Assistant Secretary for Administration.

A. The Assistant Secretaries severally are authorized to:

(1) Exercise the authority of the Secretary except for the limitations contained in 200 DM 1.4 and 1.5.

(2) Exercise the authority delegated to the Secretary by Executive Order 10355, relating to the withdrawal or reservation of certain lands by the issuance of public land orders.

(3) Administer the oath of office or any oath required by law in connection with employment.

B. The Assistant Secretaries may not redelegate the authority delegated to them in subpar. A.

.3 *Assistant Secretary for Fish and Wildlife.* A. The Assistant Secretary for Fish and Wildlife is authorized to:

(1) Exercise the authority of the Secretary with respect to any matter relating to fish and wildlife, except for the limitations contained in 200 DM 1.4 and 1.5.

(2) Administer the oath of office or any oath required by law in connection with employment.

(3) Exercise the authority delegated to the Secretary by section 2 of Executive Order 10857 relating to the transfer and conveyance to the State of Alaska of certain property owned or held by the United States. This authority shall be exercised with regard to personal property in accordance with such policies, conditions, and procedures as may be prescribed by the Secretary of the Interior (see 418 DM 3).

B. The Assistant Secretary for Fish and Wildlife may not redelegate the authority delegated to him in subpar. A, except that he may, in writing, authorize officers or employees of the Department to sign on behalf of the United States, fisheries loan authorizations the provisions of which he has approved.

.4 *Assistant Secretary for Administration.* A. The Assistant Secretary for Administration is authorized to:

(1) Exercise the authority of the Secretary except for the limitations contained in 200 DM 1.4 and 1.5.

(2) Administer the oath of office or any oath required by law in connection with employment.

B. The Assistant Secretary for Administration may, in writing, redelegate or authorize written redelegation of that portion of the authority delegated to him in subpar. A, which relates to functions assigned to him in 110 DM 2.7, including authority to execute, modify, or terminate contracts for supplies and services, to lease space, and to dispose of surplus property.

The Assistant Secretary for Administration has redelegated to the head of each division under his supervision, authority relating to functions assigned to the division in 110 DM 2. (AMR Reg. 2, 24 F.R. 1349.)

.5 *Deputy Secretarial Officer.* As used here, the title deputy applies to the principal assistant to the Secretarial officers listed in 210 DM 1.1 through 1.4: the Under Secretary, Assistant Secretary, Water and Power Development; Assistant Secretary, Public Land Management; Assistant Secretary, Mineral Resources; Assistant Secretary for Fish and Wildlife; and the Assistant Secretary for Administration. The titles shall be as follows: Deputy Under Secretary; Deputy Assistant Secretary, Water and Power Development; Deputy Assistant Secretary, Public Land Management; Deputy Assistant Secretary, Mineral Resources; Deputy Assistant Secretary for Fish and Wildlife; and Deputy Assistant Secretary for Administration. A deputy provides primary staff assistance to the Secretarial officer which includes acting for him under certain specified circumstances.

A. In the absence of the Secretarial officer, or under certain circumstances specified by him, a deputy is authorized to exercise the authority of the Secretarial officer except for the limitations contained in 200 DM 1.4 and 200 DM 1.5, and others which the Secretarial officer may specify. The purpose of this delegation of authority is to relieve the Secretarial officer of burdensome routine correspondence and actions, and to prevent delays in signature mail when he is absent.

B. A deputy may not redelegate this authority.

STEWART L. UDALL,
Secretary of the Interior.

MAY 20, 1965.

[F.R. Doc. 65-5528; Filed, May 26, 1965; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

B AND H SALES STABLE AND BEMIDJI SALES BARN, INC.

Proposed Posting of Stockyards

The Acting Chief, Rates and Registrations Branch, Packers and Stockyards Division, Consumer and Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

B & H Sales Stable, Keedysville, Md.
Bemidji Sales Barn, Inc., Bemidji, Minn.

Notice is hereby given, therefore, that the said Acting Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Acting Chief, Rates and Registrations Branch, Packers and Stockyards Division, Consumer and Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 15 days after publication hereof in the FEDERAL REGISTER.

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

Done at Washington, D.C., this 24th day of May 1965.

K. A. POTTER,
Acting Chief, Rates and Registrations Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 65-5538; Filed, May 26, 1965; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-163]

GENERAL DYNAMICS CORP.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 16, set forth below, to Facility License No. R-67. The license authorizes General Dynamics Corp. to operate the TRIGA Mark F nuclear reactor located at Torrey Pines Mesa, Calif. The amendment authorizes operation of the reactor optionally without poison disks contained in fuel elements, as described in the licensee's application for license amendment dated February 8, 1965, and teletype supplement thereto dated May 4, 1965.

The Commission has found that:

(1) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(2) The issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public;

(3) Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

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

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated February 8, 1965, and teletype supplement thereto dated May 4, 1965, and (2) the Safety Evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 18th day of May 1965.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

AMENDMENT TO FACILITY LICENSE

[License No. R-67, Amdt. 16]

License No. R-67, as amended, issued to General Dynamics Corp. is hereby amended in the following respects:

In addition to the activities previously authorized by the Commission in License No. R-67, as amended, General Dynamics Corp. is authorized to operate the TRIGA Mark F nuclear reactor located at Torrey Pines Mesa, Calif., optionally without poison disks contained in fuel elements, as described in its application for license amendment dated February 8, 1965, and teletype supplement thereto dated May 4, 1965.

This amendment is effective as of the date of issuance.

Date of issuance: May 18, 1965.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-5496; Filed, May 26, 1965; 8:45 a.m.]

[Docket No. 37]

ALEXANDER T. DEUTSCH

Notice of Application

Notice is hereby given that Alexander T. Deutsch, Washington, D.C., has filed an application for just compensation on May 13, 1965, based on U.S. Patent Application S.N. 112,833, "Radioactive Products."

The application of Mr. Deutsch is on file with the Patent Compensation Board. Any person other than the applicant desiring to be heard with reference to the application should file with the Patent Compensation Board, United States Atomic Energy Commission, Washington, D.C., 20545, within 30 days from the date of publication of this notice, a statement of facts concerning the nature of his interest.

MARGARET H. MELIN,
Acting Clerk.

[F.R. Doc. 65-5497; Filed, May 26, 1965; 8:45 a.m.]

[Docket No. 27-10]

NUCLEAR ENGINEERING CO., INC.

Notice of Issuance of Amendment of Byproduct, Source and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 22 to License No. 4-3766-1 which amends the license in its entirety and renews the license for a period of 3 years.

The license amendment provides authority for certain operations not previously authorized.

1. Burial of gaseous waste material at the licensee's facility near Beatty, Nevada.

2. Burial of unpackaged sealed sources at the licensee's facility near Beatty, Nevada.

3. Provides that shipments of special nuclear material shall be buried either (a) with a minimum of 8 inches of earth separating each shipment, or (b) with a minimum distance of 12 feet separating each shipment in a burial trench.

4. Sealing or placement in undamaged containers of packages received by the licensee which may have lost their integrity during transportation. Authority has not been granted for opening of packages and removal of the waste material therein.

The license amendment contains the following restriction not previously required. The maximum concentration of liquid radioactive waste which may be solidified and repackaged is 10^{-1} microcuries per milliliter.

The license amendment does not authorize the following operations requested in the application.

1. The solidification and repackaging of liquids with concentrations greater than 10^{-1} microcuries per milliliter.

2. Opening of any packages containing solid waste material for purposes of processing and repackaging.

The license amendment deletes authorization for burial of wastes in the Atlantic Ocean.

The Atomic Energy Commission has found that:

A. The applicant's equipment, facilities, and procedures are adequate to protect health and minimize danger to life or property;

B. The applicant is qualified by training and experience to use the material in such a manner as to protect health and minimize danger to life or property;

C. The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and Title 10, Code of Federal Regulations, Chapter 1, and is for a purpose authorized by that act; and

D. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

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

For further details with respect to this issuance see: (1) the application and amendments thereto and (2) the related memorandum prepared by the Division of Materials Licensing, all of which are available for public inspection at the Commission's Public Document Room 1717 H Street NW., Washington, D.C. A copy of Item 2 above may be obtained at the Commission's Public Document Room, or upon request to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Materials Licensing.

Dated at Bethesda, Md., May 20, 1965.

The text of this amendment is set forth below.

For the Atomic Energy Commission.

LYALL JOHNSON,
Acting Director, Division of Materials Licensing.

[License No. 4-3766-1; Amdt. 22]

Byproduct, Source and Special Nuclear Material License

In accordance with application dated July 8, 1964, and amendment thereto dated January 27, 1965, License No. 4-3766-1 is hereby amended in its entirety to read as follows:

Pursuant to the Atomic Energy Act of 1954, as amended; 10 CFR 30, "Licensing of Byproduct Material"; 10 CFR 40, "Licensing of Source Material"; 10 CFR 70, "Special Nuclear Material"; and in reliance upon the statements and representations contained in the application dated July 8, 1964, and amendment thereto dated January 27, 1965, Nuclear Engineering Co., Inc., Box 594, Walnut Creek, Calif., is hereby authorized to receive, process, package, store, and dispose of byproduct, source, and special nuclear material.

This license shall be deemed to contain the conditions specified in section 183 of the Atomic Energy Act of 1954, as amended, and is subject to the provisions of 10 CFR 20, "Standards for Protection Against Radiation," all other applicable rules, regulations, orders of the Atomic Energy Commission now or hereafter in effect, and to the following conditions:

1. The licensee shall not possess at any one time at its facility near Beatty, Nev., more than:

A. 50,000 curies of byproduct material.

B. 25,000 pounds of source material.

C. (a) 500 grams of Uranium 235, 300 grams of Uranium 233 and 300 grams of Plutonium provided that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity. Unity shall be determined by the following formula:

$$\frac{\text{grams contained U 235}}{500}+\frac{\text{grams contained U 233}}{300}+\frac{\text{grams contained Pu}}{300}=1$$

(b) No single package shall contain more than 100 grams of Uranium 235 or 60 grams of Uranium 233 or 60 grams of Plutonium or any combination thereof such that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity. Unity shall be determined by the following formula:

$$\frac{\text{grams contained U 235}}{100}+\frac{\text{grams contained U 233}}{60}+\frac{\text{grams contained Pu}}{60}=1$$

(c) No single package shall contain more than 15 grams of any combined Uranium 235, Uranium 233, and Plutonium per cubic foot of total volume.

2. The licensee shall not possess at any one time at its facility in Cowell, Calif., more than:

A. 500 grams of Uranium 235, 300 grams of Uranium 233, and 300 grams of Plutonium provided that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity. Unity shall be determined by the following formula:

$$\frac{\text{grams contained U 235}}{500}+\frac{\text{grams contained U 233}}{300}+\frac{\text{grams contained Pu}}{300}=1$$

B. No single package shall contain more than 100 grams of Uranium 235 or 60 grams of Uranium 233 or 60 grams of Plutonium or any combination thereof such that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity. Unity shall be determined by the following formula.

$$\frac{\text{grams contained U 235}}{100}+\frac{\text{grams contained U 233}}{60}+\frac{\text{grams contained Pu}}{60}=1$$

C. No single package shall contain more than 15 grams of any combined Uranium 235, Uranium 233 and Plutonium per cubic foot of total volume.

3. Operations authorized in this license shall be conducted by individuals designated by the Nuclear Engineering Co., Inc., Radiation Safety Committee. The Radiation Safety Committee shall consist of J. S. Corbett, J. L. Harvey, and A. L. Johnson. Each individual authorized to conduct operations shall have completed the Radiation Training Program described in Attachment 1-C of the application dated July 8, 1964, and shall have completed on-the-job training as specified in Section D, Attachment 5 of the application dated July 8, 1964.

4. The transportation of AEC-licensed material to and from the processing facility shall be subject to the applicable regulations of the Interstate Commerce Commission, United States Coast Guard and other agencies of the United States having appropriate jurisdiction, and where such regulations are not applicable shall be in accordance with the following requirements except as specifically provided by the Atomic Energy Commission:

A. *Outside shipping containers.* (1) Except for wastes prepared for ocean disposal as provided in Condition 8 of this license, the containers shall meet any one of the following specifications described in Appendix A attached hereto:

a. 15A, 15B, 12B, 6A, 6B, 6C, 17C, 17H, 19A, or 19B for the containment of radioactivity in amounts not in excess of 2.7 curies; except polonium, 2 curies, and hydrogen 3, 5 curies.

b. Specification 55 for containment of solid cobalt 60, cesium 137, iridium 192, or gold 198 in amounts not in excess of 300 curies.

(2) There shall be no radioactive contamination on any exterior surface of the container in excess of 500 d/m/100 sq. cm. alpha and 0.1 mrep/hr beta-gamma radiation.

(3) The smallest dimension of the container shall not be less than 4 inches.

(4) The radiation level at any accessible surface of the container shall not exceed 200 mrem/hr.

(5) At one meter from any point on the radioactive source the radiation level shall not exceed 10 mrem/hr.

(6) Containers which contain radioactive material emitting only alpha and/or beta radiation shall contain sufficient shielding to prevent the escape of primary corpuscular radiation to the exterior surface and to reduce the secondary radiation at the surface of the container to at least 10 mrem/24 hours at any time during transportation.

B. *Inside containers.* (1) Solid and gaseous radioactive materials shall be packed in suitable inside containers designed to prevent rupture and leakage under conditions incident to transportation.

(2) Liquid radioactive materials must be packed in sealed glass, earthenware, or other suitable containers. The container must be surrounded on all sides by an absorbent material sufficient to absorb the entire liquid contents and be of such nature that its efficiency will not be impaired by chemical reactions with the contents. Where shielding is required the absorbent material must be placed within the shield. If the inside container meets the Specification 2R in Appendix A, the absorbent material is not required.

(3) Materials containing radioisotopes of plutonium, americium, polonium, or curium, or the isotope strontium 90, in quantities in excess of 100 microcuries, must be packed in containers which meet Specification 2R in Appendix A.

C. *Shielding.* Inside containers must be completely surrounded with sufficient shielding to meet the requirements of subparagraphs A(4), A(5), and A(6) of this condition. The shield must be so designed that it will not open or break under normal conditions incident to transportation.

D. *Labeling.* Each outside container label required under Section 20.203(f) of 10 CFR 20 shall bear the following information:

(1) Total activity in millicuries, or in the case of source and special nuclear material, the total weight;

(2) principal radioisotope;

(3) radiation level at the surface of the container and at one meter from source; and

(4) the name and address of the licensee.

E. Each vehicle in which licensed material is transported shall be marked or placarded on each side and the rear with lettering at least 3 inches high as follows: "DANGEROUS—RADIOACTIVE MATERIAL."

F. *Accidents.* In the event of an accident involving any vehicle transporting licensed material, immediate steps shall be taken to prevent radiation exposure of persons and to control contamination.

G. *Exemptions.* Specific approval must be obtained from the Atomic Energy Commission for modification of, or exemption from, the requirements of this license condition. Requests for such approval should be directed to the Chief, Isotopes Branch, Division of Materials Licensing, Atomic Energy Commission, and should contain sufficient information to support such a request.

5. In those cases in which the regulations of the Interstate Commerce Commission, United States Coast Guard, or other agency of the United States having jurisdiction over the transportation of radioactive material are not applicable, transportation of radioactive material may also be carried out in accordance with the following:

A. Interstate Commerce Commission Special Permit No. 2301.

B. Bureau of Explosives Permit No. 686.

C. Bureau of Explosives Permit No. 612.

6. Byproduct, source, and special nuclear material may be disposed of by

A. Burial in the soil at a site located in the NW¼ of the NE¼ of Section 35, Township 13 South, Range 47 East, Mount Diablo Baseline and Meridian, Nev.

B. Burial at a minimum depth of 1,000 fathoms in the Pacific Ocean.

(1) Within an area bounded by points designated as 37°38′ N., 123°18′ W.; 37°38′ N., 123°30′ W.; 37°43′ N., 123°24′ W.; and 37°43′ N., 123°30′ W.

(2) Within 5 miles of a point designated as 37°40′ N., 124°50′ W.

(3) Other locations in the Pacific Ocean when approved by the Atomic Energy Commission.

7. A. The licensee shall load containers of special nuclear material waste aboard vessels for transportation to the ocean disposal sites only at locations and under the conditions provided in this license.

B. The licensee may load containers of special nuclear material waste at Fulton's Shipyard near Antioch, Calif., for transport to the disposal site in the Pacific Ocean, under the following conditions:

1. Licensee shall load special nuclear material waste aboard its barge, the Harbor Industries No. 1, or aboard any suitable barge or ship, at the Fulton's Shipyard, only at such time as the City of Antioch is not pumping water from the San Joaquin River and in a manner assuring an interval of time between the period of loading and resumption of river pumping, as herein set forth.

2. Loading operations shall be coordinated between the Department of Public Works of the City of Antioch, City Hall, Antioch, Calif., and the licensee. Communications shall be specifically addressed as follows:

B. H. Maynard, Director of Public Works, City Hall, Antioch, Calif.,

and

J. S. Corbett, Chief Radiation Protection Officer, Nuclear Engineering Co., Inc., Box 594, Walnut Creek, Calif.

3. A designated representative of the City of Antioch shall notify a designated representative of the licensee at least 48 hours in advance of the resumption or cessation of pumping operations. Notification shall be by a telephone call with confirmation in writing. In the event of emergency shutdown of pumping operations by the city, the licensee shall be advised of the probable duration of the shutdown. For the purpose of this provision, representatives of the City of Antioch are:

B. H. Maynard, Director of Public Works, telephone, Plateau 7-3333.

Martin Tillman, Utilities Superintendent, telephone, Plateau 7-0515.

Leo S. Pancey, City Manager, telephone, Plateau 7-3333.

Representatives of the licensee are:

J. Stewart Corbett, Chief, Radiation Protection Officer, telephone, 686-6042.

Alfred L. Johnson, Supervisor, Operations, telephone, 686-6042.

The licensee will require eight hours to complete a barge loading operation. Upon receipt of said notice of intention to resume pumping, the licensee agrees to take the following action with sufficient promptness to comply with condition (d) below.

a. Cease loading special nuclear material waste for transport from Cowell to Antioch and halt departure of trucks from Cowell to Antioch;

b. Remove all special nuclear material waste from the wharf at Fulton's Shipyard by placing it on a sea transport positioned for ocean disposal.

c. Remove any loaded or partially loaded barge or ship from the vicinity of the Antioch water intake. This provision contemplates prompt removal of ships or barges loaded or partially loaded with radioactive wastes, to an ocean disposal site, weather and sea conditions permitting. A bona fide and good faith exercise of the opinion of the master of the transporting vessel to the effect that such prompt removal would be hazardous from the standpoint of the prevailing weather and sea conditions, shall operate to excuse a violation of this provision until such time as the said weather and sea conditions are no longer deemed hazardous in the said opinion of said master.

d. Conditions (a) to (c) inclusive hereof, shall be fully complied with not later than sixteen (16) hours prior to the time designated for the resumption of pumping.

4. The licensee shall utilize all necessary cargo handling procedures and equipment to prevent dropping of packaged special nuclear material waste during the loading operation.

5. The licensee shall maintain careful supervision of special nuclear material waste throughout the period in which it is present at Fulton's Shipyard or in the vicinity thereof. This supervision shall require the presence of one of the individuals authorized by this license at all times when special nuclear material waste containers are being handled. One individual shall be designated by the licensee to be responsible for the safety of the operation during periods when the special nuclear material waste is present but not undergoing active handling. All special nuclear material shall be secured in such a manner as to prevent access to it by other than authorized personnel of the licensee. In the event of an accident or any ocurrence that might or does involve any possibility of radioactive contamination of the river or adjacent areas, regardless of the degree or amount thereof, the licensee's supervising representative shall immediately notify one of the city of Antioch representatives listed in Paragraph 3 above, as well as the Atomic Energy Commission, and shall immediately cease all loading activities until given au-

thority to proceed by representatives of said Commission.

8. For disposal by burial at sea, byproduct, source and special nuclear material shall be packaged only in 55-gallon drums prepared in accordance with procedures described in applications dated August 3, 1960 and October 28, 1960, and encased in concrete as described in application dated March 31, 1961.

9. The licensee shall notify the Chief, Isotopes Branch, Division of Materials Licensing, Atomic Energy Commission, Washington, D.C., and the Director, Region V, Division of Compliance, Atomic Energy Commission, 2111 Bancroft Way, Berkeley, Calif., at least 20 days prior to each sea disposal or series of sea disposals by letter deposited in the United States mail properly stamped and addressed, of the proposed date and location for disposal. Information regarding the total number of containers, the total activity of byproduct material in curies, the total amount of source material in pounds, the total amount of special nuclear material in grams contained in each sea disposal shipment shall be supplied to the Director, Division of Compliance, specified above, in such a manner that the information is received by the Director, Division of Compliance, one working day prior to the loading of the vessel for each sea disposal trip. Information regarding the quantities of byproduct, source and special nuclear material disposed of, the actual date of disposal and the disposal location in latitude and longitude shall be supplied to the Chief, Isotopes Branch, Division of Materials Licensing, Atomic Energy Commission, within thirty (30) days after the date of disposal.

10. The licensee shall not remove solid radioactive wastes from shipping containers except as follows:

A. Any inner container with not more than 500 curies of byproduct material or not more than the quantity of special nuclear material specified in Condition 1.C.(b) of this license may be removed from a shipping cask. Immediately upon removal of an inner container from a shipping cask, the inner container shall be buried without any interim storage or processing. The licensee shall provide written instructions to employees for each operation in which an inner container is removed from a shipping cask. The operations authorized in this condition shall be carried out in accordance with the procedures and limitations contained in letters dated January 29, 1964; February 13, 1964; and Attachment 8–A of the application dated July 8, 1964.

B. Any sealed sources with not more than 50 curies of Cobalt 60 or the equivalent of 50 curies of Cobalt 60 in terms of radiation may be removed from shipping casks and disposed of in accordance with the procedures and limitations contained in the application dated July 8, 1964, and the amendment thereto dated January 27, 1965.

11. Packages containing gaseous wastes shall be disposed of by burial in accordance with procedures in section 4, attachment 8 of the application dated July 8, 1964.

12. The licensee may bury any package received from another person at its facility near Beatty, Nev., regardless of the levels of radiation emanating from the package, provided that:

A. The package contains only solid radioactive materials.

B. Radiation levels at accessible approaches to a burial trench do not exceed 100 mr/hr except during the placement of containers.

13. Soil samples shall be obtained on a semiannual basis at the surface and at random 30- to 50-foot depths along the south side of each burial trench (complete or incomplete). The licensee will record the result of the measurement of each soil sample taken.

14. In lieu of the control device requirements of section 20.203(c)(2), 10 CFR 20, the entrance to each facility in which waste is stored shall be locked when authorized personnel are not present so as to make each facility inaccessible to unauthorized personnel when radiation levels exist therein which could cause an individual to receive a dose in excess of 100 millirem in any one hour.

15. Notwithstanding the record keeping requirements of 10 CFR Parts 20, 30, 40, and 70, the licensee shall maintain:

A. Records of the following items of information regarding each container of waste received from customers:

(1) Name and address of customer.

(2) Principal radioisotope.

(3) Total amount of byproduct material in millicuries, the amount of source material in pounds and the amount of special nuclear material in grams.

(4) Radiation level at the surface of the container and at 1 meter.

(5) Level of removable radioactive contamination on the container surface.

(6) Date received.

B. Records of the following items of information regarding each container of waste packaged for sea disposal.

(1) Total amount of byproduct material in millicuries, the amount of source material in pounds and the amount of special nuclear material in grams.

(2) Radiation level at the surface of the container and at 1 meter.

(3) Level of removable radioactive contamination on the container surface.

(4) Most hazardous radioisotope.

(5) Date of packaging.

(6) Weight and volume of final container, if prepared for disposal at sea.

(7) Disposal location and date of disposal.

16. The licensee may seal or place in undamaged containers such packages received by the licensee which may have lost their integrity during transportation. Packages which may have lost their integrity shall not be opened.

17. Except as specifically provided otherwise in this license, the licensee shall receive, process, package, and dispose of byproduct, source and special nuclear material in accordance with the conditions, limitations, and procedures contained in the application dated July 8, 1964, and amendment thereto dated January 27, 1965.

A. All waste byproduct, source and special nuclear material shall be disposed of by burial in the soil within 6 months from the date of receipt by Nuclear Engineering Co., Inc.

B. Upon completion of burial operations in a burial trench, the licensee will backfill the trench so that there is a minimum of 3 feet of earth, consisting of both fine and coarse materials, between the last layer of packages and the surface of the ground. The licensee will mound earth, including fine and coarse materials, over the trench to a minimum height of 2 feet at the center of the mound in such a manner as to drain runoff water away from the trench over which the earth is mounded and away from any other trench in the process of being filled.

C. Upon completion of burial operations in a trench, concrete markers shall be installed at each end of the filled trench. These markers shall contain the following information:

(1) Date of start and completion of burial operations.

(2) Dimensions of the boundaries of the trench.

(3) Total millicuries of byproduct material contained.

(4) Grams of special nuclear material contained.

(5) Pounds of source material contained.

D. No package containing liquid wastes shall be opened and the contents solidified and repackaged if the concentration of the liquid exceeds 10^{-1} microcuries per milliliter. Certification of the concentration shall be obtained by the licensee for all packages containing liquid waste and records maintained thereof.

E. The licensee shall not dispose of any uncontained waste byproduct, source and special nuclear material.

F. Packages containing special nuclear material placed in a burial trench shall have a minimum of 8 inches of earth or 12 feet of space separating each shipment in all directions.

G. Vegetation samples shall be obtained on a semiannual basis in the vicinity of the burial trenches. The licensee will record the result of the measurement of each vegetation sample taken.

H. A water sample shall be taken from the licensee's test well not less than once a month and analyzed for gross alpha- and beta-gamma radioactivity. Should any water sample obtained from the test well reveal an increase in the concentration of radioactive material in the aquifer greater than the concentration of radioactive material determined prior to commencement of burial operations, the licensee shall perform further surveys to determine whether or not the increase is due to land burial operations. Should the radioactivity be determined to originate in the burial ground, the licensee shall notify the Director, Division of Materials Licensing within thirty (30) days of such findings.

This license shall be effective on the date issued and shall expire 3 years from the last day of the month in which this license is issued.

Dated at Bethesda, Md., May 20, 1965.

For the Atomic Energy Commission.

LYALL JOHNSON,
Acting Director,
Division of Materials Licensing.

[F.R. Doc. 65–5554; Filed, May 26, 1965; 8:49 a.m.]

[Docket No. 50–227]

GENERAL DYNAMICS CORP.

Notice of Proposed Issuance of Construction Permit

Please take notice that the Atomic Energy Commission proposes to issue to the General Dynamics Corp. a construction permit substantially in the form set forth below which would authorize the construction of a Thermionic Research TRIGA nuclear reactor on the corporation's laboratory site at Torrey Pines Mesa, Calif.

The Atomic Energy Commission has found that:

A. The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

B. The reactor will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter I, CFR, Part 50, "Licensing of Production and Utilization Facilities";

C. The reactor will be used in the conduct of research and development activities of the types specified in section 31 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act");

D. General Dynamics Corp. is financially qualified to construct the reactor in accordance with the regulations contained in Title 10, Chapter I, CFR, to assume financial responsibility for the payment of Commission charges for

special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time;

E. General Dynamics Corp. is technically qualified to design and construct the reactor;

F. General Dynamics Corp. has submitted sufficient technical information concerning the proposed facility to provide reasonable assurance that the proposed facility can be constructed and operated at the proposed location without endangering the health and safety of the public;

G. The issuance of a construction permit to General Dynamics Corp. will not be inimical to the common defense and security or to the health and safety of the public.

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

For further details with respect to this proposed issuance, see (1) the application and amendments thereto, and (2) the related safety evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 21st day of May 1965.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

PROPOSED CONSTRUCTION PERMIT

1. By application dated July 2, 1964, and amendments thereto dated November 30, 1964, and February 26, 1965 (hereinafter referred to as "the application"), General Dynamics Corp. requested a Class 104 license authorizing construction and operation on the applicant's site at Torrey Pines Mesa, Calif., of a Thermionic Research TRIGA nuclear reactor (hereinafter referred to as "the reactor").

2. Pursuant to the act and Title 10, CFR, Part 50, "Licensing of Production and Utilization Facilities", the Commission hereby issued a construction permit to General Dynamics Corp. to construct the reactor in accordance with the application. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the act and rules, regulations and orders of the Commission now or hereafter in effect, and is subject to the additional conditions specified below:

A. The earliest completion date of the facility is June 15, 1965. The latest completion date of the facility is October 15, 1965. The term "completion date", as used herein, means the date on which construction of the facility is completed except for the introduction of the fuel material.

B. The reactor shall be constructed and located at the location near Torrey Pines Mesa, Calif., specified in the application.

3. Upon completion of the construction of the reactor in accordance with the terms and conditions of this permit, upon finding that the facility authorized has been constructed and will operate in conformity with the application and the provisions of the act and of the rules and regulations of the Commission, upon filing of proof of financial protection and execution of an indemnity agreement as required by section 170 of the act, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the act, the Commission will issue a Class 104 license to General Dynamics Corp. pursuant to section 104c of the act which license shall expire 10 years after the date of this construction permit.

Date:

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-5555; Filed, May 26, 1965; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16164]

AIR NEW ZEALAND LTD.

Notice of Prehearing Conference

Application for amendment of its foreign air carrier permit to authorize transportation as follows: Between a point or points in New Zealand, the intermediate points New Caledonia, the Fiji Islands, American Samoa, the Cook Islands, and Honolulu (Hawaii) and the terminal point Los Angeles (California).

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on June 7, 1965, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner James S. Keith.

Dated at Washington, D.C., May 21, 1965.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 65-5556; Filed, May 26, 1965; 8:49 a.m.]

[Docket No. 16176]

WHEELER AIRLINES LTD.

Notice of Hearing

Application for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional, or infrequent nature, in common carriage, into the United States.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled application is assigned to be held on June 2, 1965, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., May 21, 1965.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 65-5557; Filed, May 26, 1965; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 65-SO-5]

CORAL TELEVISION CORP.

Notice of Petition for Public Hearing

The Coral Television Corp., Miami, Fla., has filed a petition for public hearing pursuant to § 77.37 (30 F.R. 1837), Part 77, Federal Aviation Regulations, in appeal of Determination of Hazard to Air Navigation issued in OE Docket No. 65-SO-5 (30 F.R. 5386), for the proposed construction of a television antenna structure near Key Biscayne, Fla. Therefore, the determination issued in OE Docket No. 65-SO-5 is not and will not be a final determination pending final disposition of the petition.

Issued in Washington, D.C., on May 20, 1965.

JOSEPH VIVARI,
Acting Chief, Obstruction Evaluation Branch.

[F.R. Doc. 65-5514; Filed, May 26, 1965; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15835; FCC 65 M-632]

LEBANON VALLEY RADIO ET AL.

Order Continuing Hearing

In re applications of Joe Zimmermann, Arthur K. Greiner, Glenn W. Winter, William W. Rakow, Robert M. Lesher doing business as Lebanon Valley Radio, Lebanon, Pa., Docket No. 15835, File No. BP-16098; John E. Hewitt, Thomas A. Ehrgood, Clifford A. Minnich and Fitzgerald C. Smith doing business as Cedar Broadcasters, Lebanon, Pa., Docket No. 15836, File No. BP-16103; Catonsville Broadcasting Co., Catonsville, Md., Docket No. 15838, File No. BP-16105; Radio Catonsville, Inc., Catonsville, Md., Docket No. 15839, File No. BP-16106; Commercial Radio Institute, Inc., Catonsville, Md., Docket No. 15840, File No. BP-16107; for construction permits.

It is ordered, This 20th day of May 1965, because of the illness of the presiding Hearing Examiner, that the hearing heretofore scheduled to be convened June 1, 1965, in the above-entitled proceeding, is continued to a date to be

specified by subsequent order; and, *it is further ordered*, That the motion of Cedar Broadcasters, filed May 19, 1965, for brief continuance of hearing, is dismissed.

Released: May 20, 1965.

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

[F.R. Doc. 65-5534; Filed, May 26, 1965; 8:47 a.m.]

[Docket Nos. 16017, 16019; FCC 65-437]

MISSOURI-ILLINOIS BROADCASTING CO. (KZYM) AND KGMO-RADIO-TELEVISION INC. (KGMO)

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Jerome B. Zimmer and Lionel D. Speidel doing business as Missouri-Illinois Broadcasting Co. (KZYM), Cape Girardeau, Mo., Docket No. 16017, File No. BP-15057; has CP: 1220 kc, 250 w, Day, Class II; for construction permit. KGMO Radio-Television, Inc. (KGMO), Cape Girardeau, Mo., Docket No. 16019, File No. BR-2704; has license: 1550 kc, 5 kw, DA-D, Class II; for renewal of license.

1. The Commission has before it for consideration (a) the decision in the case of KGMO Radio-Television, Inc. v. F.C.C. 336 F. 2d 920, 2 R.R. 2d 2057, decided May 22, 1964 by the U.S. Court of Appeals for the District of Columbia Circuit remanding the Missouri-Illinois Broadcasting Co. case, 1 R.R. 2d 1 (1963) to the Commission for further proceedings; (b) the Commission's action, on remand, in the Missouri-Illinois Broadcasting Co. case, F.C.C. 64-748, 3 R.R. 2d 232, adopted July 29, 1964, affording KGMO Radio-Television, Inc., licensee of Station KGMO, Cape Girardeau, Mo., an opportunity to amend and amplify its petition for reconsideration, filed on April 12, 1963 (this latter petition, also before the Commission, is directed against the Commission's action of March 13, 1963, in granting, without a hearing, the application, File No. BP-15057); (c) the "Amendment to and Amplification of Petition for Reconsideration," filed on October 5, 1964, by KGMO; (d) the "Response to the Amendment to and Amplification of Petition for Reconsideration," filed on December 7, 1964, by Missouri-Illinois Broadcasting Co. (KZYM); and (e) the "Reply to Response of KZYM," filed on January 4, 1965, by KGMO. The Commission also has before it for consideration: (a) the above-captioned and described renewal application of Station KGMO, Cape Girardeau, Mo.; (b) the "Petition to Designate for Hearing and for Other Relief," filed on December 29, 1964, by KZYM; and (c) the "Opposition to Petition to Designate for Hearing and for Other Relief," filed on January 11, 1965, by KGMO.

2. KGMO Radio Television, Inc., licensee of standard broadcast station KGMO, Cape Girardeau, Mo., appealed from the Commission's decision in the Missouri-Illinois Broadcasting Co. case, 1 R.R. 2d 1 (1963) in which the Commission denied, without a hearing, its petition for reconsideration of the Commission's action in granting, also without a hearing, a construction permit to Missouri-Illinois Broadcasting Co. KGMO's petition for reconsideration was based on the grounds that the economic effect of another station in the area would be detrimental to the public interest. The Court of Appeals for the District of Columbia Circuit, in the case of KGMO Radio-Television, Inc. v. F.C.C. 336 F. 2d 920, 2 R.R. 2d 2057 (1964), affirmed the principle set forth in the case of Carroll Broadcasting Company v. F.C.C. 258 F. 2d 440, 17 R.R. 2066 (1958) to the extent that the Commission may inquire into the question of whether the economic effect of another broadcast station in the area would be to damage or destroy service to an extent inconsistent with the public interest. However, the Court of Appeals remanded the Missouri-Illinois Broadcasting Co. case, supra, to the Commission with instructions to give KGMO an opportunity to amend and amplify its allegations in support of its request for a Carroll issue, on the grounds that KGMO did not have notice of the new pleading requirements which were set forth in the Commission's decision as necessary to support a Carroll issue. The Commission's action on the remand is contained in the Missouri-Illinois Broadcasting Co. case, FCC 64-748, 3 R.R. 2d 232 (1964). In the latter case, the Commission afforded KGMO an opportunity to amend its petition for reconsideration and also set forth the questions that had to be answered to enable it to determine whether KGMO has raised substantial and material questions of fact that would require an evidentiary hearing on the Carroll issue. The Commission now has before it the additional information submitted by KGMO in support of its request for a Carroll issue and other related pleadings filed by KGMO and KZYM.

3. The Commission has considered the contentions of the parties and is of the opinion that KGMO has met the burden of pleading to the extent required by Missouri-Illinois Broadcasting Co. 3 R.R. 2d 232 (1964), and, therefore, the Carroll issue will be specified. In its detailed response to the Commission inquiries, KGMO alleged specific facts and drew conclusions which were reasonably related to these factual allegations. In sum, KGMO has offered to prove that the economic effect of a new station in Cape Girardeau would be detrimental to the public interest because it would result in a diminution of the existing quantity and quality of standard broadcast service to the area. Although the burden of proof on KGMO is heavy, it was not required to prove its case prior to hearing. The Commission is of the view that KGMO has raised substantial and material questions of fact concerning the ability of the Cape Girardeau market to support another broadcast station without net loss or degradation of service to the community. These questions can only be resolved in an evidentiary hearing. The burden of proof and proceeding with the introduction of evidence will be placed on KGMO.

4. KZYM, in its petition to designate for hearing, contends that, should a hearing be required on the Carroll issue, the KGMO renewal application should be designated for hearing in a consolidated proceeding with the KZYM application. KZYM alleges that it has standing on the grounds that, in the event that it is determined that the revenues are not adequate to support another station without a net loss or degradation of service, a grant of the KGMO renewal application would be tantamount to a denial of the KZYM application without a full and fair hearing. KGMO, in its opposition, contests KZYM's standing to file a petition directed against its renewal application. KGMO alleges that such consolidation is not required or called for under the Commission's procedures. It further alleges that such consolidation would violate the Court's decision in the KGMO Radio-Television, Inc. v. F.C.C. case, supra, since no such proceeding was contemplated therein. The Commission has held that, in the event it is determined that a community can not economically support another station, the losing applicant can file at the existing licensee's next renewal period and then it will be entitled to comparative consideration with the existing licensee in order to determine which party would better serve the public interest. John Self 24 R.R. 1177 (1963); Bigbee Broadcasting Co. 25 R.R. 88 (1963); see also William L. Ross 25 R.R. 360 (1963). In these cases the Commission refused to advance the existing licensee's dates for filing their applications. However, it did indicate that the Commission would permit the applicant for the new station to file its application at the termination of the existing station's normal licensing period in order to receive comparative consideration with such licensee. Here, KGMO's normal licensing period has lapsed and since its renewal application is pending, KGMO is presently operating its station pursuant to section 9(b) of the Administrative Procedure Act and section 307(b) of the Communications Act of 1934, as amended. The purpose of the economic issue is "not * * * to protect a licensee against competition but to protect the public." F.C.C. v. Sanders Brothers Radio Station 309 U.S. 470, 475 (1940). If it should be found that this area cannot support another licensee without a net loss of service to the public, it is important that the Commission determine that the limited broadcasting facilities available are being operated by the party who will better serve the public interest. Having alleged that Cape Girardeau cannot support another station, and assuming that it can successfully establish this at hearing, KGMO will not be heard to object to the Commission fulfilling its obligation to the public by making the further determination in a comparative hearing of whether KGMO or KZYM would better serve the public interest. Accordingly, the KGMO renewal application will be designated for hearing in a consolidated proceeding with the KZYM

application, specifying a contingent comparative issue,[1] so that a full comparison of the parties can be made in the record in the event that the record shows that the public would suffer if both were authorized to operate at Cape Girardeau. In remanding the case to the Commission, the Court of Appeals indicated that the Commission could in its discretion consider and act upon any of its rules. The Court in no way precluded the Commission from pursuing its present course of action. The Commission is of the opinion that the public interest will best be served by the action taken herein.

5. Except as indicated by the issues specified below, KGMO Radio-Television, Inc. (KGMO) is legally, technically, financially and otherwise qualified to operate as proposed and Missouri-Illinois Broadcasting Co. (KZYM) is legally, technically, financially and otherwise qualified to construct and operate as proposed. However, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below.

It is ordered, That the grant of the above-captioned application of the Missouri-Illinois Broadcasting Co. (BP–15057) is set aside.

It is further ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the subject applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether there are adequate revenues to support more than two standard broadcast stations in the area proposed to be served by the Missouri-Illinois Broadcasting Co. (BP–15057) proposal without loss or degradation of standard broadcast service to such area.

2. In the event that Issue No. 1 is answered in the negative, to determine the areas and populations which would receive primary service from each of the applicants and the availability of other primary service to such areas and populations.

3. In the event that Issue No. 1 is answered in the negative to determine, on a comparative basis, which of the proposals would better serve the public interest, convenience, and necessity in light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate its proposed station.

(b) The proposals of each of the applicants with respect to the management and operation of the proposed station.

(c) The programing service proposed in each of the said applications.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That the Petition for Reconsideration, filed by KGMO Radio-Television, Inc. is granted.

It is further ordered, That the Petition to Designate for Hearing and for Other Relief, filed by Missouri-Illinois Broadcasting Co. (KZYM) is granted to the extent indicated above.

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof with respect to Issue No. 1 are hereby placed on KGMO Radio-Television, Inc.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing either individually or, if feasible, and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: May 19, 1965.

Released: May 21, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5535; Filed, May 26, 1965; 8:47 a.m.]

[Docket No. 14760; FCC 65-426]

TRIPLE C BROADCASTING CORP. (WLOR)

Memorandum Opinion and Order Remanding Application

In re application of Triple C Broadcasting Corp. (WLOR), Thomasville, Ga., Docket No. 14760, File No. BP–14988; for construction permit.

1. Before us for consideration is the opinion of April 1, 1965, of the United States Court of Appeals for the District of Columbia circuit in Deep South Broadcasting Co. v. Federal Communications Commission, ____ U.S. App. D.C. ____, ____ F. 2d ____, 4 Pike & Fischer, R.R. 2d 2018 (Case No. 18,507), remanding this case for further proceedings. The Court of Appeals' action resulted from an appeal by Deep South from the final Decision in this proceeding, in which the Review Board, acting pursuant to delegated authority, granted the application of Triple C Broadcasting Corporation (hereinafter WLOR)[1] for an increase in power. In its Decision (35 F.C.C. 525, released October 16, 1963), the Review Board noted that a showing concerning the impact of WLOR's application upon other efficient use of the frequency spectrum would have been desirable as an additional factor to be considered in connection with WLOR's request for waiver of § 73.28(d)(3) of our rules. The Review Board then proceeded to make an independent evaluation of the effect of WLOR's proposal upon possible future use of other frequencies and indicated that upon timely request any party would be afforded an opportunity to show the contrary.

2. The Court of Appeals held in its Opinion that the Review Board's Decision, by raising a new issue after the record was closed and by resolving it with facts only partially reflected in the record, had significantly prejudiced Deep South's rights in this proceeding. The Court of Appeals stated that there was no burden of proof upon Deep South to establish that WLOR's application should be denied. The Court of Appeals also indicated that Deep South had not been accorded a full hearing since the Review Board's action had deprived Deep South of the opportunity to test the Review Board's independent evaluation by cross-examination or to counter it by evidence of its own. The Court of Appeals then concluded that Deep South was entitled to request that WLOR's application be remanded to the Hearing Examiner so that WLOR could seek to sustain its burden of proof on the record.

3. In compliance with and consistent with the Court of Appeals' opinion, we are reopening the record and remanding this proceeding to the Hearing Examiner who presided originally, for further hearings to permit WLOR to adduce evidence concerning the impact of its application upon other efficient use of the frequency spectrum. As indicated above, Deep South may subject WLOR's showing to cross-examination or may counter it by the adduction of relevant evidence. Thereafter, the Hearing Examiner shall issue a Supplemental Initial Decision with findings of fact and conclusions of law reflecting the effect of the further hearing upon the issues as designated in this proceeding.

Accordingly, it is ordered, This 19th day of May 1965, that the record in this proceeding is reopened, and that this proceeding is remanded to the Hearing Examiner for the adduction of additional evidence and the issuance of a Supplemental Initial Decision consistent with this Memorandum Opinion and Order.

Released: May 20, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5536; Filed, May 26, 1965; 8:47 a.m.]

[1] In view of the substantial difference in operating powers, a contingent comparative coverage issue will also be specified.

[2] Commissioner Bartley not participating.

[1] WKTG, the call sign formerly assigned to this standard broadcast station, was changed to WLOR as of June 7, 1964, pursuant to the licensee's request.

[2] Commissioner Cox not participating.

[Docket Nos. 15841—15843; FCC 65M-619]

WTCN TELEVISION, INC. (WTCN-TV), ET AL.

Order Regarding Procedural Dates

In re applications of WTCN Television, Inc. (WTCN-TV), Minneapolis, Minn., Docket No. 15841, File No. BPCT-2850; Midwest Radio-Television, Inc. (WCCO-TV), Minneapolis, Minn., Docket No. 15842, File No. BPCT-3292; United Television, Inc. (KMSP-TV), Minneapolis, Minn., Docket No. 15843, File No. BPCT-3293; for construction permits.

The Hearing Examiner having under consideration a joint petition filed on May 13, 1965, on behalf of the three applicants herein requesting the revision of certain procedural dates;

It appearing, that good cause exists why said petition should be granted and there is no objection thereto;

Accordingly, it is ordered, This 17th day of May 1965, that the Hearing Examiner's Order of April 25, 1965 (FCC 65M-527), is revised to the following extent:

1. That the exchange of the applicants' affirmative exhibits shall be on or before May 25, 1965;

2. That respondents' replies or negative exhibits shall be exchanged on or before June 23, 1965; and,

3. That the notification of witnesses desired for cross-examination shall be accomplished on or before July 1, 1965;

It is further ordered, That the hearing herein shall commence on July 19, 1965, 10 a.m., in the Commission's Offices, Washington, D.C.

Released: May 18, 1965.

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

[F.R. Doc. 65-5537; Filed, May 26, 1965; 8:47 a.m.]

[Docket Nos. 16020-16022; FCC 65-453]

FIDELITY RADIO, INC., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Fidelity Radio, Inc., Louisville, Ky., Docket No. 16020, File No. BPH-3981; requests: 97.5 mc, #248; 35 kw; 343.75 ft.; Producers, Inc., Louisville, Ky., Docket No. 16021, File No. BPH-4396; requests: 97.5 mc, #248; 11.5 kw(H); 11.5 kw(V); 900 ft.; WHAS, Inc., Louisville, Ky., Docket No. 16022, File No. BPH-4630; requests: 97.5 mc, #248; 100 kw; 496 ft.; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 21st day of May 1965;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, and otherwise qualified to construct and operate as proposed; that Producers, Inc., and WHAS, Inc., are financially qualified, but that the financial information submitted by Fidelity Radio, Inc., was filed in 1962 and that, in the absence of current financial information, it cannot be determined that Fidelity Radio, Inc., is financially qualified; and

It further appearing, that the applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference; and

It further appearing, that the areas for which the applicants propose to provide FM broadcast service are significantly different in size and that, for the purposes of comparison, the areas and population within the respective 1 mv/m contours together with the availability of other FM services (at least 1 mv/m) within such areas will be considered in the hearing ordered below for the purpose of determing whether a comparative preference should accure to any of the applicants; and

It further appearing, that Fidelity Radio, Inc., proposes to operate from a transmitter site formerly used by Fidelity in the operation of former FM broadcast Station WLIL, the license of which was surrendered in 1961; that the site proposed does not meet the minimum mileage-separation requirements of § 73.207 of the Commission's rules in that said site is located 133.6 miles from the site of FM Station WROY, Carmi, Ill. (Channel No. 247) and 102.5 miles from FM Station WOXR, Oxford, Ohio (Channel No. 249); that § 73.207 of the rules requires separations of 135 and 105 miles, respectively, between the proposed Louisville site and Stations WROY and WOXR; that Fidelity Radio, Inc., has requested a waiver of the requirements of § 73.207 of the rules to permit the use of the site specified in its application; and

It further appearing, that the sites specified by Producers, Inc., and WHAS, Inc., are in compliance with the requirements of § 73.207; that therefore the request of Fidelity Radio, Inc., will be denied; but that, since the application was filed December 21, 1962, prior to the effective date of the Commission's Order of December 17, 1962, temporarily suspending the acceptance and grant of applications for new FM broadcast stations, the Commission will provide a period of forty-five (45) days from the release of this order to afford Fidelity Radio, Inc., an opportunity to amend its application to specify a site which complies with § 73.207 of the rules; and that, in the absence of such an amendment, the application of Fidelity Radio, Inc., will be dismissed; and

It further appearing, that Producers, Inc., proposes to duplicate the programing of its AM station for 12 hours per day, which after the October 15, 1965, effective date would not be in compliance with the provisions of § 73.242 of the rules which limits such duplication to 50 percent of the weekly hours broadcast; that under these circumstances, Producers, Inc. will be afforded 30 days within which to amend its application to achieve compliance with the above rule or in the alternative, to request an exemption from its provisions; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of any of the applications would serve the public interest, convenience, and necessity and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below;

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations within each of the proposed 1 mv/m contours and the availability of other FM services (at least 1 mv/m) to such areas and populations.

2. To determine whether Fidelity Radio, Inc., is financially qualified to construct and operate its proposed station.

3. To determine, on a comparative basis, which of the proposals would better serve the public interest, convenience, and necessity in the light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the FM station as proposed.

(b) The proposals of each of the applicants with respect to the management and operation of the FM broadcast station as proposed.

(c) The programing service proposed in each of the above-captioned applications.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That the request of Fidelity Radio, Inc., for a waiver of § 73.207 of the Rules is hereby denied.

It is further ordered, That Fidelity Radio, Inc., shall, within forty-five (45) days of the release of this order, amend its application to specify a transmitter site which shall comply with § 73.207 of the rules and that, in the absence of such an amendment within the time specified, the application of Fidelity Radio, Inc., shall be dismissed with prejudice.

It is further ordered, That in the event Producers, Inc., does not amend its programing proposal to achieve compliance with the requirements of § 73.242 of the rules but instead requests an exemption from these provisions, the examiner is hereby authorized to add an issue to determine whether circumstances exist which would warrant an exemption from its provisions.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an

intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

It is further ordered, That the issues with respect to the applications of Producers, Inc., and WHAS, Inc., may be enlarged by the examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 24, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 65-5560; Filed, May 26, 1965; 8:49 a.m.]

[Docket Nos. 16023, 16024; FCC 65-445]

GREATER ERIE BROADCASTING CO., INC., AND JAMES D. BROWNYARD

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Greater Erie Broadcasting Co., Inc., Lawrence Park, Pa., Docket No. 16023, File No. BP-14945; requests: 1530 kc, 250 w, D, Class II; James D. Brownyard, North East, Pa., Docket No. 16024, File No. BP-15547; requests: 1530 kc, 1 kw, 250 w (CH), D, Class II; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 19th day of May 1965;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The instant proposals are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. Regarding the application of Greater Erie Broadcasting Co., Inc., it appears that Lawrence Park, Pa., adjoins Erie, Pa. In determining which proposal would better provide a fair, efficient and equitable distribution of radio service, a determination will be made under Issue No. 2 specified below as to whether the proposal should be regarded as providing a new service for its nominal community, Lawrence Park, or whether it should be treated as an application for the principal city, Erie.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the respective proposals of Greater Erie Broadcasting Co., Inc., and James D. Brownyard and the availability of other primary service to such areas and populations.

2. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That, in view of the decision of the United States Court of Appeals for the District of Columbia Circuit in the case of Kessler v. F.C.C., 1 RR 2d 2061 (1963) and the Commission's subsequent acceptance of his application for filing (Commission Order FCC 64-433, released May 14, 1964), the "Petition for Reconsideration of Return of Application", filed on November 13, 1962, by James D. Brownyard is dismissed as moot.

It is further ordered, That in view of the hearing in a consolidated proceeding ordered above, the "Petition to Deny" filed on November 13, 1962, by James D. Brownyard, requesting that the Commission designate for hearing in a consolidated proceeding the above-captioned applications is hereby granted.

It is further ordered, That in the event of a grant of either of the above-captioned applications, the construction permit shall contain the following condition: Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 24, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 65-5561; Filed, May 26, 1965; 8:49 a.m.]

[Docket Nos. 15323, 15324; FCC 65M-640]

INTEGRATED COMMUNICATION SYSTEMS, INC., OF MASSACHUSETTS, AND UNITED ARTISTS BROADCASTING, INC.

Order Scheduling Hearing

In re applications of Integrated Communication Systems, Inc., of Massachusetts, Boston, Mass., Docket No. 15323, File No. BPCT-3167; United Artists Broadcasting, Inc., Boston, Mass., Docket No. 15324, File No. BPCT-3169; for construction permit for new television broadcast station.

It is ordered, This 21st day of May 1965, that Charles J. Frederick in lieu of Sol Schildhause shall serve as presiding officer in the above-entitled proceeding, concerning which the hearing is scheduled to be convened on June 15, 1965, in the Offices of the Commission, Washington, D.C.

Released: May 21, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 65-5562; Filed, May 26, 1965; 8:50 a.m.]

[Docket Nos. 16017, 16019; FCC 65M-644]

MISSOURI-ILLINOIS BROADCASTING CO. AND KGMO RADIO-TELEVISION, INC. (KGMO)

Order Scheduling Hearing

In re applications of Jerome B. Zimmer and Lionel D. Speidel doing business as

[1] Commissioner Lee absent.

[1] Commissioner Wadsworth absent.

Missouri-Illinois Broadcasting Co., Cape Girardeau, Mo., Docket No. 16017, File No. BP-15057; for construction permit. KGMO Radio-Television, Inc. (KGMO), Cape Girardeau, Mo., Docket No. 16019, File No. BR-2704; for renewal of license.

It is ordered, This 21st day of May 1965, that Thomas H. Donahue shall serve as presiding officer in the above-entitled proceeding; that the hearing therein is hereby scheduled to commence at 10 a.m., July 20, 1965, at Cape Girardeau, Mo.; and that the initial prehearing conference in the proceeding shall be convened by the presiding officer at 9 a.m., June 15, 1965, in the Offices of the Commission, Washington, D.C.; *And, it is further ordered*, That counsel for parties to the proceeding, at the time of their appearance at the initial prehearing conference, shall be prepared to discuss to the fullest extent applicable, in light of the governing issues, all of the pertinent points enumerated in § 1.251 of the Commission's rules of practice and procedure.

Released: May 21, 1965.

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

[F.R. Doc. 65-5563; Filed, May 26, 1965; 8:50 a.m.]

[Docket Nos. 15942, 15943; FCC 65M-637]

DENNIS A. AND WILLARD D. SLEIGHTER (WWDS) AND BEACON BROADCASTING CONCERN

Order Regarding Procedural Dates

In re applications of Dennis A. Sleighter and Willard D. Sleighter (WWDS), Everett, Pa., Docket No. 15942, File No. BP-16325; Kenneth W. Ferry trading as Beacon Broadcasting Concern, Martinsburg, Pa., Docket No. 15943, File No. BP-16523; for construction permits.

To formalize the agreements and rulings made on the record at a prehearing conference held on May 20, 1965, in the above-entitled matter concerning the future conduct of this proceeding;

It is ordered, This 21st day of May 1965, that:

Preliminary exchange of engineering exhibits is scheduled for June 18, 1965;

Exchange of lay exhibits is scheduled for June 22, 1965;

Final exchange of engineering exhibits is scheduled for June 24, 1965;

Notification of witnesses is scheduled for June 25, 1965; and

Hearing presently scheduled for June 10, 1965, is continued to June 29, 1965.

Released: May 21, 1965.

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

[F.R. Doc. 65-5564; Filed, May 26, 1965; 8:50 a.m.]

[Docket Nos. 15248, 15626; FCC 65M-639]

UNITED ARTISTS BROADCASTING, INC., AND OHIO RADIO, INC.

Order Scheduling Hearing

In re applications of United Artists Broadcasting, Inc., Lorain, Ohio, Docket No. 15248, File No. BPCT-3168; Ohio Radio, Inc., Lorain, Ohio, Docket No. 15626, File No. BPCT-3348; for construction permit for new television broadcast station.

It is ordered, This 21st day of May 1965, that Charles J. Frederick in lieu of Sol Schildhause shall serve as presiding officer in the above-entitled proceeding, concerning which the hearing is scheduled to be convened on June 15, 1965, in the Offices of the Commission, Washington, D.C.

Released: May 21, 1965.

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

[F.R. Doc. 65-5565; Filed, May 26, 1965; 8:50 a.m.]

[Docket No. 15213; FCC 65M-642]

UNITED ARTISTS BROADCASTING, INC.

Order Scheduling Hearing

In re application of United Artists Broadcasting, Inc., Houston, Tex., Docket No. 15213, File No. BPCT-3166; for construction permit for new television broadcast station.

It is ordered, This 21st day of May 1965, that Charles J. Frederick in lieu of Sol Schildhause shall serve as presiding officer in the above-entitled proceeding, concerning which the hearing is scheduled to be convened on June 15, 1965, in the Offices of the Commission, Washington, D.C.

Released: May 21, 1965.

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

[F.R. Doc. 65-5566; Filed, May 26, 1965; 8:50 a.m.]

[Docket Nos. 16025, 16026; FCC 65-446]

WEBSTER COUNTY BROADCASTING CO. AND HOLMES COUNTY BROADCASTING CO. (WXTN)

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of William E. Hardy and James E. Myers, doing business as Webster County Broadcasting Co., Eupora, Miss., Docket No. 16025, File No. BP-16372; requests: 1000 kc, 1 kw, Day, Class II; Marvin L. Mathis, Robin H. Mathis, Ralph C. Mathis, and John B. Skelton, Jr., doing business as Holmes County Broadcasting Co. (WXTN), Lexington, Miss., Docket No. 16026, File No. BP-16601; has: 1150 kc, 500 w, Day, Class III; requests: 1000 kc, 5 kw, Day, Class II; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 19th day of May 1965;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, and otherwise qualified to construct and operate as proposed; that Holmes County Broadcasting Co. is financially qualified but that Webster County Broadcasting Company may not be financially qualified; and

It further appearing that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The above proposals are mutually exclusive in that concurrent operation would result in prohibited overlap of contours as defined by § 73.37(a) of the Commission's rules.

2. Examination of the Webster County application indicates that a total of approximately $16,200 will be needed to construct the station and to operate it, without revenues, for a period of 3 months. This amount is to be financed by capital contributions from the two equal partners. However, their balance sheets fail to show adequate cash and/or liquid assets available in sufficient amount to meet their commitments. Thus, the Commission cannot now determine that they are financially qualified.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operation of Webster County Broadcasting Co. and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WXTN and the availability of other primary service to such areas and populations.

3. To determine whether Webster County Broadcasting Co. is financially qualified to construct and operate its proposed station.

4. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That, in the event of a grant of either of the applications herein, the construction permit shall contain the following condition: Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

It is further ordered, That, except with respect to the application of Webster County Broadcasting Co., the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: May 24, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5567; Filed, May 26, 1965; 8:50 a.m.]

[Docket Nos. 14208, 14228; FCC 65M-646]

WMOZ, INC., AND EDWIN H. ESTES

Order Continuing Hearing

In re application of WMOZ, Inc., Mobile, Ala., Docket No. 14208, File No. BR-2797; for renewal of license of station WMOZ, Mobile, Ala.; revocation of license of Edwin H. Estes for standard broadcast station WPFA, Pensacola, Fla., Docket No. 14228.

It is ordered, This 21st day of May 1965, that the hearing is rescheduled from June 1 to Wednesday, June 2, 1965, in Mobile, Ala., at 10 a.m.

Released: May 24, 1965.

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

[F.R. Doc. 65-5568; Filed, May 26, 1965; 8:50 a.m.]

[Docket Nos. 14208, 14228]

WMOZ, INC., AND EDWIN H. ESTES

Notice of Place of Hearing

In the matter of WMOZ, Inc., Mobile, Ala., Docket No. 14208, File No. BR-2797; for renewal of license of station WMOZ, Mobile, Ala.; revocation of license of Edwin H. Estes for standard broadcast station WPFA, Pensacola, Fla., Docket No. 14228.

The hearing on the above-entitled matter presently scheduled for Wednesday, June 2, 1965, will be held at 10 a.m., in Room 301, U.S. Court and Custom House, Corner St. Louis and St. Joseph Streets, Mobile, Ala.

Dated: May 21, 1965.

Released: May 24, 1965.

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

[F.R. Doc. 65-5569; Filed, May 26, 1965; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Fact Finding Investigation 6]

EFFECTS ON FOREIGN COMMERCE OF UNITED STATES

Notice of Hearing

MAY 21, 1965.

A further hearing in this proceeding will commence at 10 a.m. on June 14, 1965, in Room 605, 1321 H Street NW., Washington, D.C. The hearing will be open to the public.

RALPH P. DICKSON,
Investigative Officer.

[F.R. Doc. 65-5547; Filed, May 26, 1965; 8:48 a.m.]

[Docket No. 1202]

MAS INTERNATIONAL CORP.

Application for Freight Forwarding License; Discontinuance of Proceeding

On June 19, 1964, Mas International Corp. (MAS) was notified by the Managing Director that the Commission intended to deny its application for a license as an independent freight forwarder because of its activities as an exporter of shipments to foreign countries. The applicant requested the opportunity to show at a hearing that denial of the application would not be warranted. Therefore, the Commission, by order dated September 4, 1964, instituted a proceeding to determine whether the applicant was qualified for an independent ocean freight forwarder's license within the meaning of section 44 of the Shipping Act, 1916 (46 U.S.C. 821, 841(b)).

Subsequent to the institution of this proceeding, the applicant submitted a divestiture plan that proposed to sever all relationships, other than that of freight forwarder-client, with all exporters, shippers, and sellers of shipments to foreign countries. The divestiture plan was approved by the Commission on March 9, 1965.

On April 2, 1965, Hearing Counsel moved for the dismissal of this proceeding on grounds that "all present questions pertaining thereto are now moot."

By letter dated April 29, 1965, respondent advised the Commission that the divestiture plan as approved by the Commission had been accomplished.

Now, therefore, it is ordered, That the proceeding is hereby discontinued.

It is further ordered, That a copy of this order shall be served upon the respondent herein, and that this order be published in the FEDERAL REGISTER.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 65-5548; Filed, May 26, 1965; 8:48 a.m.]

AUSTRALIA/U.S. GULF, ATLANTIC, AND GREAT LAKES CONFERENCE

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Elmer C. Maddy, Esq., Kirlin, Campbell & Keating, 120 Broadway, New York, N.Y., 10005.

Agreement 9450, between MANZ Line Joint Service (as one member only), Blue Star Line Ltd., United States Lines Co., A/B Atlanttrafik Columbus Line, covers the establishment of a steamship conference entitled the "Australia/U.S. Gulf, Atlantic and Great Lakes Conference" which will operate in the trade from the Commonwealth of Australia

[1] Commissioner Wadsworth absent.

and Pacific Islands to all ports of the United States of America (excluding Pacific Coast ports, Alaska, and Hawaii), Puerto Rico, the Virgin Islands and inland points in the United States, under terms and conditions set forth in said agreement.

Dated: May 24, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-5549; Filed, May 26, 1965; 8:48 a.m.]

NORWEGIAN ASIA LINE AND FERN-VILLE LINES

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Arthur G. Smith, Treasurer, Fearnley & Eger, Inc., 39 Broadway, New York 6, N.Y.

Agreement 9453, between Norwegian Asia Line and Fern-Ville Lines—Fearnley & Eger and A. F. Klaveness & Co. A/S, covers the transportation of general cargo on through bills of lading from loading ports of Norwegian Asia Line in Sabah and Sarawak to ports of call of Fern-Ville Lines—Fearnley & Eger and A. F. Klaveness & Co. A/S on Canadian and United States Pacific Coast with transhipment at Hong Kong, under terms and conditions set forth in said agreement.

Dated: May 21, 1965.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 65-5550; Filed, May 26, 1965; 8:48 a.m.]

PISTORINO & CO., INC., ET AL.

Notice of Agreements Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are non-exclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Pistorino & Co., Inc., Boston, Mass., Seaboard Forwarding Co., Inc., New York, N.Y. — FF-1968
Pillette, Green & Co., of Tampa, Tampa, Fla., Gotham Shipping Co., Inc., New York, N.Y. — FF-1972
C. J. Hanlon Co., Inc., New York, N.Y., The Hipage Co., Inc., Norfolk, Va. — FF-1973
I. C. Harris & Co., Detroit, Mich., J. S. Lipinski Co., Toledo, Ohio — FF-1976
I. C. Harris & Co., Detroit, Mich., W. Heimann, Inc., New York, N.Y. — FF-1987
Carmichael Forwarding Service, Los Angeles, Calif., Dunnington & Arnold, Inc., New York, N.Y. — FF-1993
Triangle Forwarding Corp., New York, N.Y., John V. Carr & Son, Inc., Detroit, Mich. — FF-1994
Leyden Shipping Corp., New York, N.Y., Wall Shipping Co., Inc., Baltimore, Md. — FF-1995
Baker, Irons & Dockstader, Inc., New York, N.Y., International Shipping Corp., Miami, Fla. — FF-1996
Francesco Parisi Midwest, Inc., Chicago, Ill., F. X. Coughlin Co., Detroit, Mich. — FF-1997
Wilfred Schade & Co., Inc., Newport News, Va., Trans-World Shipping Service, Inc., Toledo, Ohio — FF-1998
Heidl's, Inc., New York, N.Y., Air-Sea Forwarders, Inc., Los Angeles, Calif. — FF-2000
Dumont Shipping Co., Inc., New York, N.Y., Morris Friedman & Co., Philadelphia, Pa. — FF-2001
John S. James, Savannah, Ga., Schaefer & Krebs, Inc., New York, N.Y. — FF-2003
Markland Thakar, New York, N.Y., The F. H. Shallus Co., Baltimore, Md. — FF-2012
Hudson Shipping Co., Inc., New York, N.Y., Albury & Co., Miami, Fla. — FF-2019
R. F. Downing & Co., Inc., New York, N.Y., Carson M. Simon & Co., Phila., Pa. — FF-2032
J. B. Wood Shipping Co., Inc., New York, N.Y., Stone & Downer Co., Boston, Mass. — FF-2040

F. L. Kraemer & Co., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Leading Forwarders of Rochester, Inc., Rochester, N.Y. — FF-1985
John A. Steer Co., Phila., Pa. — FF-1990

Chas. Kurz Co., Philadelphia, Pa., is party to the following agreements, the terms of which are identical. The other parties are:

Charleston Overseas Forwarders, Inc., Charleston, S.C. — FF-1967
H. & H. Shipping Co., Inc., New York, N.Y. — FF-2014
Reney Forwarding Co., Inc., New York, N.Y. — FF-2021

C. S. Greene & Co., Inc., Chicago, Ill., is party to the following agreements, the terms of which are identical. The other parties are:

Ira Furman & Co., Inc., New York, N.Y. — FF-2022
Forwarding Services, Inc., New York, N.Y. — FF-2023

Forwarding and service fees are $.50 for passing Shipper's Export Declaration only, additional services such as Tracing, Issuing Dock Receipts, etc. as agreed. Forwarding and service fees to non-consular countries $7.50. Ocean freight brokerage to be divided on the basis of fifty percent (50 percent) to Ira Furman & Co., Inc. and fifty percent (50 percent) to C. S. Greene & Co. The same terms apply to Forwarding Services, Inc.

Coastal Forwarders, Charleston, S.C., is party to the following agreements, the terms of which are identical. The other parties are:

Hudson Shipping Co., Inc., New York, N.Y. — FF-1986
H. W. Ebert Co., New York, N.Y. — FF-2027

John H. Faunce, Inc., Philadelphia, Pa., is party to the following agreements, the terms of which are identical. The other parties are:

Mercal International, Inc., New York, N.Y. — FF-1992
W. M. Stone & Co., Inc., Norfolk, Va. — FF-2004

Nordstrom Freighting Corp., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

H. E. Schurig & Co., Houston, Tex. — FF-2018
Bevon International, Inc., Charleston, S.C. — FF-2026

Paul Sustek Co., Phila., Pa., is party to the following agreements, the terms of which are identical. The other parties are:

United Forwarders Service, Inc., New York, N.Y. — FF-2008
Almac Shipping Co., Inc., New York, N.Y. — FF-2025

Express Forwarding & Storage Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

T. J. Hanson, Inc., Beaumont, Tex. — FF-1980
Charleston Overseas Forwarding, Inc., Charleston, S.C. — FF-1989
Cavalier Shipping Co., Inc., Norfolk, Va. — FF-1991
Stone Forwarding Co., Inc., Corpus Christi, Tex. (Also Galveston & Houston, Tex.) — FF-1999
Geo. S. Bush & Co., Inc., Portland, Oreg. — FF-2030

Argus Shipping Co., Inc., New York, N.Y., is party to the following agree-

ments, the terms of which are identical. The other parties are:

Wilfred Schade & Co., Inc., Newport News, Va. FF-2002
Paul Sustek Co., Philadelphia, Pa. FF-2007
William H. Masson, Inc., Baltimore, Md. FF-2011
Coastal Forwarders, Charleston, S.C. FF-2020
General Foreign Freight Forwarders, Norfolk, Va. FF-2024

Gallagher & Ascher Co., Chicago, Ill., is party to the following agreements, the terms of which are identical. The other parties are:

H. W. Ebert Co., New York, N.Y. FF-2028
W. J. Byrnes & Co., San Francisco, Calif. FF-2029
Inge & Co., Inc., New York, N.Y. FF-2042
Dumont Shipping Co., Inc., New York, N.Y. FF-1984

Skyline Shipping Corp., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Coastal Forwarders, Charleston, S.C. FF-2009
Norton & Ellis, Inc., Norfolk, Va. FF-2010
Morris Friedman & Co., Philadelphia, Pa. FF-2017
J. G. R. Williams, Inc., New Orleans, La. FF-2031

Maron Shipping Agency, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

General Foreign Freight Forwarders, Norfolk, Va. FF-2005
George W. Wise, Jr., Savannah, Ga. FF-2006

Silvey Shipping Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Seaway Forwarding Co., Cleveland, Ohio FF-2033
Gerry Schmitt & Co., Detroit, Mich. FF-2034
Stevens Shipping Co., Savannah, Ga. FF-2035
Waters Shipping Co., Wilmington, N.C. FF-2036
Fillette, Green & Co. of Tampa, Tampa, Fla. FF-2037
Albury & Co., Miami, Fla. FF-2038
The Cottman Co., Baltimore, Md. FF-2039

International Expediters, Inc., New York, N.Y., is party to the following agreements, the terms which are identical. The other parties are:

Joseph K. Ebberwein, Savannah, Ga. FF-1969
J. R. Michels, Inc., Brownsville, Tex. FF-1970
William R. Neal, Port Huron, Mich. FF-1971
A. L. Rankin, Corpus Christi, Tex. FF-1974
Ralph Valls, Corpus Christi, Tex. FF-1975
Palmetto Shipping Co., Charleston, S.C. FF-1977
John S. Connor, Inc., Baltimore, Md. FF-1978
Universal Transcontinental Corp., New York, N.Y. FF-1979
Fred E. Gignoux, Inc., Portland, Maine FF-1988
Hasler & Co., Newport News, Va. FF-2041

Agreement FF-2013 between Peter A. Bernacki, Inc., Philadelphia, Pa., and Manhattan Shipping Co., New York, N.Y., is a cooperative working arrangement whereunder ocean freight brokerage is to be divided between the parties as agreed. This division of brokerage will be restricted to those shipments handled on behalf of each other. Where only papers are presented on behalf of another forwarder, no brokerage will be divided. Forwarding and service fees are subject to negotiation on each transaction.

Agreement FF-1981 between Atlas Forwarding Co., Inc., New York, N.Y., and Charleston Overseas Forwarders, Inc., Charleston, S.C., is a cooperative working arrangement whereunder compensation received from ocean carriers in the form of freight brokerage shall not be shared by the parties. All compensation of this nature will be received only by Atlas Forwarding Co., Inc. Forwarding and service fees are subject to negotiation on each transaction.

Sunshine Forwarders, Inc., Jacksonville, Fla., is party to the following agreements, the terms of which are identical. The other parties are:

Frederic Henjes, Jr., Inc., New York, N.Y. FF-2015
Dumont Shipping Co., Inc., New York, N.Y. FF-2016

Forwarding and service fees are to be as follows:

Bermuda and Nassau	$2.50
All other countries:	
To pass completed declarations	1.25
To pass completed bills of lading	1.25
To prepare or complete and pass export declarations	2.50
To prepare or complete and pass bills of lading	2.50
Preparation of Consul documents	5.00

Consular documents (at cost).
Telephone calls, teletypes or telegrams (at cost).
Ocean freight brokerage is to be divided equally on a 50/50 basis between both parties.

NOTICE OF AGREEMENTS SUBJECT TO CANCELLATION

Notice is hereby given that the following independent ocean freight forwarder cooperative working agreements approved by the Commission pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814) are scheduled for cancellation inasmuch as in accordance with the terms therein the parties to the agreements have requested in writing that the agreements be terminated.

Coastal Forwarders, Charleston, S.C., Major Forwarding Co., Inc., New York, N.Y. FF-263
Heidl's, New York, N.Y., John L. Westland & Son, Inc., Los Angeles, Calif. FF-849

Dated: May 24, 1965.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-5551; Filed, May 26, 1965; 8:49 a.m.]

U.S. ATLANTIC AND GULF PORTS/ BERMUDA RATE AGREEMENT

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Elmer C. Maddy, Kirlin, Campbell, and Keating, 120 Broadway, New York, N.Y., 10005.

Agreement 9449, between Cargo Carriers Ltd. and Furness, Withy & Co., Ltd. operating cargo services between U.S. Atlantic and Gulf ports and Bermuda, provides that the parties will confer and discuss with each other the rates, charges, classifications, and related tariff matters to be charged or observed by them in the above trade in order to promote the commerce and stability of such trade in accordance with the terms and conditions set forth in the agreement.

Dated: May 24, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-5552; Filed, May 26, 1965; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP65-364]

CITY OF PIKEVILLE, TENN.

Notice of Application

MAY 20, 1965.

Take notice that on May 14, 1965, the city of Pikeville, Tenn. (Applicant), filed in Docket No. CP65-364 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing East Tennessee Natural Gas Co. (East Tennessee), to sell to Applicant its third year peak-day requirements of 605 Mcf per day of natural gas and to deliver such gas to the city of Dunlap, Tenn., for Applicant's account, all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that the lateral line of the city of Dunlap was constructed pursuant to the order of the Commission issued on May 6, 1965, in Docket No. CP65-212. Applicant and Dunlap have entered into an arrangement under which Dunlap will transport gas from the connection between it and East Tennessee and deliver the gas to Applicant at a point on the north side of Dunlap.

Dunlap will charge $500 per year for this transportation service.

Applicant proposes to serve all potential customers north of the delivery point, including those within Applicant's city limits.

Applicant proposes to construct approximately 20 miles of intermediate pressure mains and approximately 12 miles of low-pressure distribution mains. The total cost of the proposed distribution system is estimated to be $315,000, which is to be financed from the sale of gas revenue bonds.

Applicant anticipates the annual and peak-day requirements of natural gas for the first 3 years of operations to be as follows:

	First year	Second year	Third year
Annual (Mcf)	49,368	61,685	74,661
Peak day (Mcf)	393	453	605

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 18, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5515; Filed, May 26, 1965; 8:46 a.m.]

[Docket No. CP65-360]

INTERSTATE POWER CO.

Notice of Application

MAY 19, 1965.

Take notice that on May 14, 1965, Interstate Power Co. (Applicant), 1000 Main Street, Dubuque, Iowa, 52003, filed in Docket No. CP65-360 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a natural gas pipeline extending from a point near Hooppole, Ill., to the Rock River near Prophetstown, Ill., and a river crossing, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 10.0 miles of 12-inch pipeline from Hooppole to the Rock River and 1.5 miles of 8-inch pipeline river crossing. The stated reason for the proposal is to provide for Applicant's normal system growth. Applicant states that with only current facilities it will not have any reserve pipeline system capacity available to provide normal system load growth past the current heating season.

Applicant states that the estimated cost of construction of the proposed facilities is $423,350, which is to be financed from a portion of the funds to be raised from the sale of common and preferred stock and first mortgage bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 18, 1965.

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

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5516; Filed, May 26, 1965; 8:46 a.m.]

[Docket Nos. CP65-357—CP65-359]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Applications

MAY 20, 1965.

Take notice that on May 12, 1965, Michigan Wisconsin Pipe Line Co. (Applicant), 1 Woodward Avenue, Detroit, Mich., 48226, filed in Docket No. CP65-358 an application pursuant to section 3 of the Natural Gas Act requesting an order of the Commission authorizing Applicant to export natural gas from the United States to the Dominion of Canada (Canada). On the same date Applicant filed in Docket No. CP65-357 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities for the interstate transportation of natural gas in the States of Wisconsin, Illinois, Indiana, and Michigan. Applicant filed a third application, on the same day, in Docket No. CP65-359 for a permit pursuant to Executive Order No. 10485, dated September 3, 1953, authorizing the construction, operation, maintenance, and connection of facilities at the international boundary between the United States and Canada for the exportation of natural gas to Canada. The proposal involved is more fully set forth in the applications submitted in the above-docket numbers, and these applications are on file with the Commission and open to public inspection.

The applications incorporate a proposal by Applicant to receive up to 600.4 million cubic feet per day of natural gas from Midwestern Gas Transmission Co. (Midwestern), at the existing point of interconnection of the systems of Midwestern and Applicant near Marshfield, Wis., and to redeliver equivalent volumes to Trans-Canada Pipe Lines Ltd. (Trans-Canada), at points on the international boundary near Sault Ste. Marie and Sarnia, Ontario. The proposal is complementary to that set forth by Midwestern in its applications filed with the Commission in Docket Nos. CP65-349, CP65-350, and CP65-351. Midwestern proposes to import natural gas from Trans-Canada from a point on the international boundary near Emerson, Manitoba, and transport the gas to the interconnection with Applicant near Marshfield, Wis. The proposals by Applicant and Midwestern allegedly are competitive and mutually exclusive with the project proposed by Great Lakes Transportation Co., in its applications filed with the Commission in Docket Nos. CP65-171, CP65-172, and CP65-173.

Specifically, Applicant requests authorization to construct and operate the following facilities:

(a) 217.4 miles of 30-inch loop line in Wisconsin, Illinois, and Michigan;

(b) 55.5 miles of 26-inch loop line in Wisconsin;

(c) 168.0 miles of 30-inch line and 228.0 miles of 10-inch line in Michigan;

(d) 100,850 horsepower at three new and seven existing compressor stations in Wisconsin, Michigan, and Indiana.

Applicant proposes to construct the facilities over a 4-year period and estimates the cost to be $79,600,000, which is to be financed through the sale of $40,000,000 principal amount of bonds, $8,000,000 of common stock and the balance in short-term bank loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 17, 1965.

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

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5517; Filed, May 26, 1965; 8:46 a.m.]

[Docket No. G-3912, etc.]

ASHLAND OIL & REFINING CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 18, 1965.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 9, 1965.

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 protest or petition to intervene is filed within the time required herein, if the Commission on it own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or 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: Provided, however, that pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
G-3912 D 5-6-65	Ashland Oil & Refining Co., Post Office Box 1503, Houston, Tex., 77001.	Cities Service Gas Co., Hugoton Field, Grant County, Kans.	(1)	.....
G-9544 E 5-12-65	CRA, Inc. (successor to Roy R. Gardner), Post Office Box 7305, Kansas City, Mo., 64116.	Tennessee Gas Transmission Co., North Tidehaven Field, Matagorda County, Tex.	[2] 16.16947	14.65
G-9720 E 5-3-65	Jenkins and Archer, partnership (successor to Oliver Jenkins, Trustee), c/o Margaret J. Wells, agent, Box 869, Paintsville, Ky.	Kentucky-West Virginia Gas Co., Middle Creek Field, Floyd County, Ky.	15.0	14.6
G-11159 D 5-6-65	The Pure Oil Co., 200 East Golf Rd., Palatine, Ill., 60067.	Transcontinental Gas Pipe Line Corp., Gueydon Field, Vermilion Parish, La.	Assigned	.....
G-11564 E 10-2-61	Pan American Petroleum Corp., Operator (successor to Honolulu Oil Corp. (Operator), et al.), Post Office Box 591, Tulsa, Okla., 74102.	Northern Natural Gas Co., Prentice Gasoline Plant, Yoakum County, Tex.	10.0	14.65
G-14050 C 5-28-62	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla., 74102.	Transwestern Pipeline Co., Waha and Worsham Fields, Reeves County, Tex.	16.0	14.65
CI60-645 E 4-19-65	CRA, Inc. (successor to Cyprus Oil Co., et al.), Post Office Box 7305, Kansas City, Mo., 64116.	Tennessee Gas Transmission Co., Grosse Isle Field, Vermilion Parish, La.	20.0	15.025
CI61-1273 D 5-5-65	Tenneco Oil Co., Post Office Box 2511, Houston, Tex., 77001 (partial abandonment).	United Gas Pipe Line Co., Bethany Field, Panola County, Tex.	(3)	.....
CI62-325 [4] E 5-4-65	Rutter and Co., Ltd., et al. (successor to Bartessa Oil Corp.), 500 North Big Spring, Midland, Tex.	El Paso Natural Gas Co., Spraberry Trend Field, Reagan County, Tex.	17.2295	14.65
CI63-1040 C 5-7-65	R. J. Caraway (Operator), et al., Mercantile Bank Bldg., Dallas, Tex.	Arkansas Louisiana Gas Co., Manziel Field, Wood County, Tex.	12.99828	14.65
CI65-703 A 1-14-65 [6] 3-18-65 [7]	Mill Creek Gas & Oil Co.[8], 517 Main St., Clarion, Pa., 16214.	Pennsylvania Gas Co., Barnes Field, Sheffield Township, Warren County, Pa.	27.0	15.025
CI65-1152 [9] F 4-26-65 5-10-65 [10]	Frank H. Walsh (successor to Shell Oil Co.), Post Office Box 30, Sterling, Colo.	Kansas-Nebraska Natural Gas Co., Inc., Elm Grove and Key Fields, Logan County, Colo.	4.0	16.4
CI65-1154 F 5-3-65	CRA, Inc. (successor to W. A. Pruett, et al.), Post Office Box 7305, Kansas City, Mo., 64116.	Florida Gas Transmission Co., Jones Creek Field, Wharton County, Tex.	17.5	14.65
CI65-1171 F 5-6-65	O. P. Leonard and The Fort Worth National Bank, Trustee (successor to J. M. Leonard), c/o Charles B. Harris, attorney Thompson, Walker, Smith, and Shannon, 1915 Continental National Bank Bldg., Fort Worth, Tex., 76102.	El Paso Natural Gas Co., Ignacio-Blanco Field, La Plata County, Colo.	[11] 13.0	15.025
CI65-1172 A 5-7-65	Kerr-McGee Oil Industries, Inc., Kerr-McGee Bldg., Oklahoma City, Okla., 73102.	Mountain Fuel Supply Co., Federal Four Mile Creek Unit, Moffat County, Colo.	15.0	15.025
CI65-1173 A 5-7-65	Walter Stegmeir, Post Office Box 642, Nashville, Tenn.	Cumberland Natural Gas Co., Nortonville Field, Hopkins County, Ky.	15.0	15.025
CI65-1174 A 5-7-65	Sinclair Oil & Gas Co. (Operator), et al., Post Office Box 521, Tulsa, Okla., 74102.	Lone Star Gas Co., Ralph R. Fort Unit, Stephens County, Okla.	15.0	14.65
CI65-1175 F 5-7-65	James H. Helland, Operator (successor to Sun Oil Co. and Sunray DX Oil Co.), 2111 Alamo National Bldg., San Antonio, Tex., 78205.	United Gas Pipe Line Co., South Weematche Field, Goliad County, Tex.	14.0	14.65
CI65-1176 A 5-7-65	Maxwell Herring Drilling Corp., Operator 619 Citizens First National Bank Bldg., Tyler, Tex.	Lone Star Gas Co., Henderson Field, Rusk County, Tex.	16.56	14.65
CI65-1177 B 5-3-65	Sinclair Oil & Gas Co., Post Office Box521, Tulsa, Okla., 74102.	United Gas Pipe Line Co., Lisbon Field, Claiborne Parish, La.	Depleted	
CI65-1178 A 5-7-65	Calvin Michelson, c/o Frank Kinnie, Esq., Post Office Box 6027, San Antonio, Tex., 78209.	Almos Gas Gathering Co., Silva South West Field, Bee County, Tex.	10.5	14.65
CI65-1179 A 5-7-65	....do....	Almos Gas Gathering Co., Silva South West Field, Live Oak County, Tex.	10.5	14.65
CI65-1180 A 5-7-65	Western Oil Development Co., c/o Frank Kinnie, Esq., Post Office Box 6027, San Antonio, Tex., 78209.	Almos Gas Gathering Co., Lenke Field, Bee County, Tex.	12.0	14.65
CI65-1182 [12] F 5-5-65 5-10-65 [13]	Frank H. Walsh (successor to Shell Oil Co.), Post Office Box 30, Sterling, Colo.	Kansas-Nebraska Natural Gas Co., Inc., Yenter Field, Logan County, Colo.	4.0	16.4
CI65-1183 B 5-11-65	Edmund J. Ford, Jr. and Harry W. Hamilton, 1517 Wilson Tower, Corpus Christi, Tex.	Valley Gas Transmission, Inc., Bell Field, Live Oak County, Tex.	(14)	
CI65-1184 A 5-10-65	Sherman A. Wengard, 1044 Stanford Dr., N.E., Albuquerque, N. Mex.	El Paso Natural Gas Co., Huerfano Dakota Unit, San Juan County, N. Mex.	12.0	15.025
CI65-1185 F 5-10-65	Continental Oil Co. (successor to Delhi-Taylor Oil Corp.), Post Office Box 2197, Houston, Tex., 77001.	Florida Gas Transmission Co., McGill Ranch Field, Kenedy County, Tex.	17.5	14.65
CI65-1186 A 5-10-65	Frio Production Co., c/o Frank Kinnie, Esq., Post Office Box 6027, San Antonio, Tex., 78209.	Almos Gas Gathering Co., East Tynan Field, Bee County, Tex.	11.0	14.65
CI65-1187 A 5-10-65	Russak Oil Co., c/o Frank Kinnie, Esq., Post Office Box 6027, San Antonio, Tex., 78209.	Almos Gas Gathering Co., Cornelius Field, Live Oak County, Tex.	10.5	14.65
CI65-1188 A 5-10-65	Chambers & Kennedy, c/o Frank Kinnie, Esq., Post Office Box 6027, San Antonio, Tex., 78209.	Almos Gas Gathering Co., Linke Field, Bee County, Tex.	11.0	14.65

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

See footnotes at end of table.

Docket No. and Date Filed	Applicant	Purchaser, Field and Location	Price Per Mcf	Pressure Base
CI65-1189..... A 5-10-65	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla., 74102.	Arkansas Louisiana Gas Co., Arpelar Field, Pittsburg County, Okla.	15.0	14.65
CI65-1190..... A 5-10-65	Continental Oil Co., Post Office Box 2197, Houston, Tex., 77001.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	19.5	14.65
CI65-1191..... B 4-12-65	Barbara Oil Co., 33 South Clark St., Chicago, Ill., 60603.	Cities Service Gas Co., Rhodes Field, Barber County, Kans.	(10)	
CI65-1192..... A 5-11-65	MAPCO Production Co., 800 Oil Center Bldg., Tulsa, Okla., 74119.	Mississippi River Transmission Corp., Woodlawn Field, Harrison County, Tex.	15.0	14.65
CI65-1193..... A 5-12-65	Texas Gas Exploration Corp., 1111 First City National Bank Bldg., Houston, Tex., 77052.	Texas Gas Transmission Corp., Midland Field, Muhlenberg County, Ky.	15.0	15.025
CI65-1194..... B 5-11-65	Engeo Oil & Gas Co., Operator, c/o Bradford Ross, Esq., Ross, Marsh, and Foster, 725 15th St. NW., Washington, D.C., 20005.	Engeo Gathering Co., Midway Field, San Patricio County, Tex.	Depleted.	
CI65-1195..... B 5-11-65	Burdette Graham, Operator, c/o Bradford Ross, Esq., Ross, Marsh, and Foster, 725 15th St. NW., Washington, D.C., 20005.	East White Point Gathering Co., Midway Field, San Patricio County, Tex.	Depleted.	
CI65-1196..... A 5-12-65	Joseph E. Seagram & Sons, Inc., dba Texas Pacific Oil Co.,[9] Post Office Box 747, Dallas, Tex., 75221.	Michigan Wisconsin Pipe Line Co., SE Dacoma and Dacoma Fields, Woods and Alfalfa Counties, Okla.	19.5	14.65

[1] Purchaser has not taken the contracted annual minimum volume of gas from Seller and has elected not to pay for the deficiency, and Seller has exercised its right to remove a portion of the subject acreage from dedication under contract.
[2] Rate in effect subject to refund in Docket No. G-17363.
[3] Abandons service insofar as Midyett Gulley and Marvin Gulley No. 2 wells, from which all economic production has ceased.
[4] Application erroneously assigned Docket No. CI65-1165 and noticed as a partial succession May 11, 1965 in Docket Nos. G-5077, et al.
[5] Rate in effect subject to refund in Docket No. RI62-187.
[6] Application previously noticed Jan. 25, 1965, in Docket Nos. G-3609, et al. at rates of 32.0 cents and 28.0 cents per Mcf at 14.73 p.s.i.a.
[7] Amendment to application filed to reflect a total initial rate of 27.0 cents per Mcf in lieu of the original proposed rates.
[8] By letter dated May 5, 1965, applicant agreed to accept permanent certificate at 27.0 cents per Mcf at 15.025 p.s.i.a.
[9] Application previously noticed May 11, 1965, in Docket Nos. G-5077, et al. at a total initial price of 7.0 cents per Mcf.
[10] Amendment to application filed to reflect a total initial price of 4.0 cents per Mcf in lieu of the original proposed price of 7.0 cents per Mcf.
[11] Rate of 14.0 cents per Mcf presently being collected subject to refund in Docket No. RI65-33.
[12] Application erroneously noticed as a complete succession in Docket No. G-5077 on May 11, 1965, and at a total initial price of 7.0 cents per Mcf.
[13] Amendment to application filed to reflect a total initial price of 4.0 cents per Mcf in lieu of the original price of 7.0 cents per Mcf.
[14] Production ceased due to encroachment of salt water.
[15] Gas wells were drowned out as a result of a water flood program.
[16] Applicant states its willingness to accept permanent certificate conditioned at a total initial price of 15.0 cents per Mcf.

[F.R. Doc. 65-5466; Filed, May 26, 1965; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 24, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39797—*Liquid caustic soda and liquefied chlorine gas to Georgetown, S.C.* Filed by O. W. South, Jr., agent (No. A4691), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, and liquefied chlorine gas, in tank carloads, in single carloads or straight or mixed multiple carload shipments of not less than eight tank carloads, from Saltville, Va., to Georgetown, S.C.

Grounds for relief—Market competition.

Tariff—Supplement 7 to Southern Freight Association, agent, tariff I.C.C. S-517.

FSA No. 39798—*Soda ash to Asheville and Skyland, N.C.* Filed by O. W. South, Jr., agent (No. A4692), for interested rail carriers. Rates on soda ash, in bulk in covered hopper cars, in carloads, from Baton Rouge and North Baton Rouge, La., to Asheville and Skyland, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 58 to Southern Freight Association, agent, tariff I.C.C. S-397.

FSA No. 39799—*Rosin sizing to Zee, La.* Filed by O. W. South, Jr., agent (No. A4693), for interested rail carriers. Rates on liquid rosin sizing, in tank carloads, from Shamrock, Fla., to Zee, La.

Grounds for relief—Market competition.

Tariff—Supplement 10 to Southern Freight Association, agent, tariff I.C.C. S-475.

By the Commission.

[SEAL] BERTHA F. ARMES, *Acting Secretary.*

[F.R. Doc. 65-5541; Filed, May 26, 1965; 8:47 a.m.]

[Rev. S.O. 562; Pfahler's I.C.C. Order No. 186, Amdt. 1]

RAILROADS SERVING ILLINOIS ET AL.

Rerouting or Diversion of Traffic

Upon further consideration of Pfahler's I.C.C. Order No. 186 and good cause appearing therefor:

It is ordered, That:

Pfahler's I.C.C. Order No. 186 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., June 1, 1965, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p.m., May 21, 1965, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 21, 1965.

INTERSTATE COMMERCE COMMISSION,
R. D. PFAHLER,
Agent.

[F.R. Doc. 65-5542; Filed, May 26, 1965; 8:47 a.m.]

[Ex Parte 241]

INVESTIGATION OF ADEQUACY OF RAILROAD FREIGHT CAR OWNERSHIP, CAR UTILIZATION, DISTRIBUTION, RULES AND PRACTICES

Amended Service List

The order herein dated March 24, 1965, contained in appendix showing identities of all persons upon whom service of the verified statements and other pleadings must be served. The order also provided that any respondent not listed and desiring to be listed in that appendix should notify the Secretary to that effect prior to May 3, 1965. Several respondents have indicated their wish to be added to the service list. Set forth below is an amended consolidated service list which contains the names of all persons upon whom service of verified statements and other pleadings must be served.

It is ordered, That a copy of this order be served upon each respondent; upon each person listed in the attached service list; and upon the Public Utility Commissions or Boards or similar regulatory bodies of each State; that a copy be posted in the office of the Secretary of this Commission; and that a copy be delivered to the Director, Division of Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 17th day of May A.D. 1965.

By the Commission, Commissioner Murphy.

[SEAL] BERTHA F. ARMES, *Acting Secretary.*

AMENDED SERVICE LIST

NAMES AND ADDRESSES OF PERSONS REPRESENTING RESPONDENTS

John C. Ashton, Jr., General Attorney, St. Louis-San Francisco Railway Co., 906 Olive Street, St. Louis 1, Mo.

James A. Bistline, General Solicitor, Southern Railway System, Box 1808, Washington 13, D.C.

Richard R. Bongartz, General Attorney, The Pennsylvania Railroad Co., 1138 Transportation Center, 6 Penn Center Plaza, Philadelphia, Pa., 19104.
S. R. Brittingham, Jr., The A.T. & S.F. Railway Co., 80 East Jackson Boulevard, Chicago, Ill., 60604.
Robert D. Brooks, General Solicitor, 466 Lexington Avenue, New York, N.Y., 10017.
Charles W. Burkett, General Solicitor, Southern Pacific Co., San Francisco, Calif., 94105.
J. T. Clark, General Attorney, Law Department, Erie Lackawanna Railroad Co., Midland Building, Cleveland, Ohio, 44115.
Charles H. Clay, General Attorney, Soo Line Railroad Co., 804 Soo Line Building, Minneapolis, Minn., 55440.
James I. Collier, Jr., General Counsel, The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C., 20036.
Clifford T. Coomes, Assistant General Solicitor, Louisville & Nashville Railroad Co., 908 West Broadway, Louisville, Ky., 40201.
John C. Danielson, General Attorney, Chicago & North Western Railway Co., 400 West Madison Street, Chicago 6, Ill.
William E. Davis, Vice President and General Counsel, The Kansas City Southern Railway Co., 114 West 11th Street, Kansas City, Mo., 64105.
Samuel P. Delisi, Delisi, Wick, and Vuono, 1515 Park Building, Pittsburgh, Pa., 15222.
Kemper A. Dobbins, General Attorney, Law Department, Norfolk & Western Railway Co., 8 North Jefferson Street, Roanoke, Va., 24011.
J. H. Durkin, General Solicitor, 646 Chicago Road, Chicago Heights, Ill.
Frank S. Farrell, General Solicitor, Northern Pacific Railway Co., 1018 Northern Pacific Building, St. Paul, Minn., 55101.
James A. Gillen, General Attorney and Commerce Counsel, 547 West Jackson Boulevard, Chicago, Ill., 60606.
J. W. Grady, General Commerce Counsel, The N.Y., N.H. & H. Railroad Co. (Richard Joyce Smith, William J. Kirk, and Harry W. Dorigan, Trustees), New Haven, Conn.
John W. Hanifin, Assistant General Counsel, The Chesapeake & Ohio Railway Co., 3100 Terminal Tower, Cleveland, Ohio, 44101.
H. D. Koontz, General Attorney, Illinois Central Railroad, 135 East 11th Place, Chicago, Ill., 60605.
Eldon Martin, Vice President and General Counsel, 547 West Jackson Boulevard, Chicago, Ill., 60606.
M. E. Mayes, Assistant Comptroller, Norfolk & Western Railway Co., Pittsburgh, Pa.
F. J. Melia, Vice President and Western General Counsel, Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr., 68102.
Thormund A. Miller, General Attorney, Southern Pacific Co., 205 Transportation Building, Washington, D.C., 20006.
P. C. Mullen, 646 Chicago Road, Chicago Heights, Ill.
Joseph J. Nagle, General Attorney and Commerce Counsel, Chicago, Milwaukee, St. Paul & Pacific Railroad Co., 888 Union Station, Chicago 6, Ill.
Carl E. Newton, Donovan, Leisure, Newton, and Irvine, 2 Wall Street, New York, N.Y., 10005.
George M. Onken, General Counsel, Long Island Railroad Co., Jamaica Station, Jamaica, N.Y., 11435.
Ernest Porter, General Attorney and Commerce Counsel, The Denver & Rio Grande Western Railroad Co., Post Office Box 5482, Denver, Colo., 80217.
Rowland Posey, Solicitor, Western Maryland Railway Co., 300 St. Paul Place, Baltimore, Md., 21202.
Leo Pou, General Solicitor, Gulf, Mobile & Ohio Railroad Co., Post Office Box 881, Mobile, Ala., 36601.
Earl F. Requa, Vice President and General Counsel, Northern Pacific Railway Co., 1018 Northern Pacific Building, St. Paul, Minn., 55101.
Albert B. Russ, Jr., Attorney, Law Department, Atlantic Coast Line Railroad Co., 500 Water Street, Jacksonville, Fla.
T. J. Slattery, Assistant General Counsel, Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn., 55101.
Richard D. Stokes, General Attorney, The Long Island Railroad Co., Jamaica Station, Jamaica, N.Y., 11435.
Elmer B. Trousdale, Attorney, Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn., 55101.
E. L. Van Dellen, Vice President and General Counsel, The Western Pacific Railroad Co., 526 Mission Street, San Francisco, Calif., 94105.
Granville Whittlesey, Jr., Donovan, Leisures, Newton, and Irvine, 2 Wall Street, New York, N.Y., 10005.
R. W. Yost, General Attorney, 210 North 13th Street, St. Louis, Mo., 63103.
J. C. Mixon, President-General Manager, Atlanta & West Point Railroad Co., et al., Atlanta, Ga., 30303.

NAMES AND ADDRESSES OF INTERESTED PARTIES

John M. Cleary, Pope, Ballard, and Loos, Brawner Building, Washington, D.C., 20006.
Avery M. Cloninger, National Association of Shippers Advisory Boards, 522 Fifth Avenue, New York, N.Y., 10036.
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Jonel C. Hill, Public Utilities Commission of Oregon, Room 206, Public Service Building, Salem, Oreg., 97301.
E. W. Hilton, Jr., Transportation Manager, American Plywood Association, 1119 A Street, Tacoma, Wash., 98401.
A. K. Hinckle, Western Paper Traffic Conference, Potlatch Forests, Inc., Post Office Box 600, Lewiston, Idaho.
R. F. Hogan, Transportation Manager, Warner Co., 1721 Arch Street, Philadelphia 3, Pa.
Dwight L. Koerber, The Coal Traffic Bureau, 1011 Oliver Building, Pittsburgh, Pa., 15222.
L. D. Mangan, Manager, Freight Rates, Northwestern Steel & Wire Co., Sterling, Ill.
James G. Manning, Transportation Manager, Western Wood Products Association, 700 Yeon Building, Portland, Oreg., 97204.
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Herman F. Mueller, Attorney, Bureau of Inquiry and Compliance, Washington, D.C.
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Donald G. Olson, Western Paper Traffic Conference, Post Office Box 600, Lewiston, Idaho.
W. H. Ott, General Transportation Manager, Kraft Foods, Division of National Dairy Products Corp., 500 Peshtigo Court, Chicago, Ill., 60690.
Allen K. Penttila, Evans Products Co., 1121 Southwest Salmon Street, Portland, Oreg., 97208.
Warren Price, Jr., Attorney, 1000 Vermont Avenue NW., Washington 5, D.C.
National Coal Association, Attention: Myles E. Robinson, Director, Economics and Transportation, Washington, D.C., 20036.
James E. Singleton, Director of Transportation, Public Utilities Commission of Oregon, Room 206, Public Service Building, Salem, Oreg., 97310.
William B. Thomas, Jr., Assistant to Traffic Manager, Gifford Hill & Co., Inc., Post Office Box 683, Dallas, Tex.
J. N. Zarves, Assistant to Vice President Transportation, Continental Grain Co., 2 Broadway, New York, N.Y., 10004.

[F.R. Doc. 65-5543; Filed, May 26, 1965; 8:47 a.m.]

[Notice 1180]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 24, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), 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-67631. By order of May 21, 1965, the Transfer Board approved, on reconsideration, the transfer to Brooklyn Waverly Auto Express Co., Inc., Brooklyn, N.Y., of a portion of the operating rights in Certificate No. MC-30766, issued March 21, 1942, to Alco Motor Trucking Corp., New York, N.Y., authorizing the transportation, over irregular routes, of: Paper and paper products, between points in the New York, N.Y., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in specified counties in New Jersey. George A.

Olsen, 69 Tonnele Avenue, Jersey City, N.J., representative for transferor, Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., 07102, attorney for transferee.

No. MC-FC-67751. By order of May 21, 1965, the Transfer Board, on reconsideration, approved the transfer to Warren Delivery Service, Inc., Union, N.J., of the operating rights in Certificate No. MC-105822 (Sub-No. 1) issued October 26, 1948, in the name of Charles N. Ged and Joseph C. Homcy, a partnership, doing business as G&H Motor Transportation Co., Paterson, N.J., approved for transfer to Kay-Len Trans., Inc., Paterson, N.J., by order of the Commission, the Transfer Board entered December 16, 1964, in the proceeding No. MC-FC-67407, authorizing the transportation, over irregular routes, of: General commodities, with the usual exceptions, between points and places in Essex, Union, Morris, Passaic, Bergen, Monmouth, and Middlesex Counties, N.J., on the one hand, and, on the other, New York, N.Y., and tile and tile products between points and places in Hudson and Essex Counties, N.J. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306, practitioner for applicants.

No. MC-FC-67763. By order of May 21, 1965, the Transfer Board approved the transfer to Wedron Transport Co., a corporation, Chicago, Ill., of the operating rights in Permits Nos. MC-95212 (Sub-No. 28) and MC-95212 (Sub-No. 32), issued May 5, 1959, and April 2, 1962, respectively, to Helen R. Henderson, doing business as H. R. Henderson, Seneca, Ill., authorizing the transportation, over irregular routes, of sand, in bulk, from Wedron, Ill., to points in Indiana, Kentucky, Michigan, Iowa, Minnesota, Missouri, Ohio, and Wisconsin, and of sand, in bags, from points in La Salle County, Ill., to points in Iowa, Missouri, Ohio, Indiana, and Wisconsin. Joseph M. Scanlan, 111 West Washington, Chicago 2, Ill., attorney for applicants.

No. MC-FC-67796. By order of May 21, 1965, the Transfer Board approved the transfer to Fred C. Wight, Inc., Alexandria, Va., of the operating rights in Permit No. MC-20427, issued July 11, 1941, to J. Vernon Smith, Arlington, Va., authorizing the transportation, over irregular routes, of concrete products, from Alexandria, Va., to Washington, D.C., and points in Maryland within 75 miles of Washington. Ronald E. Madsen, Southern Building, Washington 5, D.C., attorney for applicants.

No. MC-FC-67810. By order of May 20, 1965, the Transfer Board approved the transfer to Harold L. Fisher, doing business as Fisher's Moving & Storage, Blytheville, Ark., of the certificate in No. MC-79531, issued June 5, 1961, to Gladys Montague, doing business as Jonesboro Transfer & Storage Co., Jonesboro, Ark., authorizing the transportation of: Household goods, between Jonesboro, Ark., and points in Arkansas within 50 miles of Jonesboro, on the one hand, and, on the other, points in Alabama, Tennessee, Illinois, Iowa, Kansas, Mississippi, Missouri, Oklahoma, and those specified in Kentucky, Louisiana, and Texas. Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark., attorney for applicants.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5544; Filed, May 26, 1965; 8:48 a.m.]

[Notice 1180-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 24, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), 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-67881. By order of May 24, 1965, the Transfer Board approved the transfer to Norman C. Clemmer and Earl Mininger, a partnership, doing business as Clemmer Moving & Storage, Souderton, Pa., of Certificate No. MC-119121 issued March 7, 1960, to Norman H. Clemmer, Souderton, Pa., authorizing the transportation of household goods, over irregular routes, between Souderton, Pa., and points in Pennsylvania within 10 miles of Souderton, on the one hand, and, on the other, points in New Jersey and New York. Irwin S. Rubin, 17 Washington Avenue, Souderton, Pa., attorney for applicants.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5545; Filed, May 26, 1965; 8:48 a.m.]

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PART II

Federal Maritime Commission

Filing of Tariffs by Common Carriers by Water in the Foreign Commerce of the United States and by Conferences of Such Carriers

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[Docket No. 964; General Order 13]

PART 536—FILING OF TARIFFS BY COMMON CARRIERS BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES AND BY CONFERENCES OF SUCH CARRIERS

Section 18(b) of the Shipping Act, 1916, requires every common carrier by water in foreign commerce and every conference of such carriers to file with the Federal Maritime Commission, and keep open to public inspection, tariffs showing all the rates and charges of such carrier or conference for transportation to and from United States ports and foreign ports between points on its own route and on any through route which is established. It is further required that such tariffs shall plainly show the places between which freight will be carried, and shall contain the classification of freight in force, and shall also state separately such terminal or other charge, privilege, or facility under the control of the carrier or conference which is granted or allowed, and any rules or regulations which in anywise change, affect, or determine any part or the aggregate of such aforesaid rates, or charges, and shall include specimens of any bill of lading, contract of affreightment, or other document evidencing the transportation agreement. Copies of such tariffs shall be made available to any person, and a reasonable charge may be made therefor.

On December 23, 1961, proposed tariff filing rules governing the form and manner of filing tariffs by common carriers by water in the foreign commerce of the United States and conferences of such carriers were published in the FEDERAL REGISTER. The comments received which were generally critical that the rules were too complicated and in many ways not properly adapted to the practical problems of common carriers by water operating in the United States foreign trade were carefully reviewed and, to the extent possible under the Commission's authority, the rules were simplified, revised and republished in the FEDERAL REGISTER on May 4, 1963, again as proposed rules. The comments received after the publication of the revision were generally repetitive of those comments received after the initial publication. Some suggested changes involving language and technical requirements have been accepted and are reflected in the final rules. In addition, while the comments received after the second publication were under review, the Commission undertook a study to determine the feasibility of requiring carriers and conferences to publish in their tariffs, on forms specified in the rules, commodity code numbers as indicated in the commodity indexes of the Standard International Trade Classification, Revised, Volumes 1 and 2, published by the Department of Economics and Social Affairs of the United Nations. Such commodity code numbers would enable the Commission to undertake a system of Automatic Data Processing of freight rates. The results of the study indicated that it would not be possible for the Commission to code freight rates applicable to commodities moving in the foreign commerce of the United States without a requirement in the tariff rules that freight rates be filed in a uniform manner on forms prescribed by the Commission and that the aforementioned commodity code numbers be shown alongside the commodity descriptions in the tariff. There would be no mandatory requirement that commodity descriptions published in tariffs would have to conform to descriptions published in the S.I.T.C. Carriers and conferences could continue to publish commodity descriptions currently in use. Adherence to the rate forms prescribed, and the use of commodity code numbers would enable the Commission to build and establish an internal commodity coding file which would lend itself to an Automatic Data Processing system of freight rates.

The Commission must undertake studies of and analyses of freight rates applicable to commodities moving in the foreign commerce of the United States in the performance of its statutory responsibilities. It must be in a position to retrieve freight rates and information related thereto as promptly as possible from the tariff files. An Automatic Data Processing system would permit the Commission to expeditiously carry out its statutory mandates.

On April 21, 1964, there was published in the FEDERAL REGISTER a notice stating that the Commission was considering a codification requirement and a further requirement that carriers and conferences would have to adhere to a specific format in the filing of rate pages. Comments of interested parties concerning this proposal were invited and reviewed. The written comments concerning this proposal were divided into two categories. Category I relates to the objections raised concerning the prescribed forms and the other technical requirements. Category II relates to objections raised concerning codification of tariffs through the use of commodity numbers published in the Standard International Trade Classification.

CATEGORY I

Objection: Blanket uniformity does not consider characteristics of various trades.

Reply: The characteristics of the various trades are not so unique that standardized requirements would create severe problems. The Commission has taken into account all trades in considering the rules.

Objection: Complexity creates confusion. Too much information required on one page.

Reply: Other than commodity code numbers, the Commission will not require that much additional information be shown on tariff pages.

Objection: Repetition increases chance of error.

Reply: The Commission cannot see how the rules are the cause of repetition. There are no repetitive requirements.

Objection: Enormous and prohibitive costs are involved which would have to be borne by subscribers.

Reply: Carriers and conferences are required by law to file their tariffs with the Commission. No part of this cost should be passed on to subscribers. Tariffs will be enlarged to some extent by the requirements of the rules but the Commission doubts if the enlargement will be as great as that envisioned by carriers and conferences.

Objection: Overly verbose tariffs will result from the rules requirements.

Reply: The rules were not constructed to create wordage. The rules were constructed to provide for statutory requirements, Commission requirements, to see that tariffs are clear and unambiguous, implicit, uniform, and of benefit to users and subscribers. A tariff complete in all respects need not be verbose.

Objection: Contract and noncontract rates should not be required to be shown on each rate page.

Reply: Reference to mathematical formulas, various rate charts, etc., to obtain a rate would completely frustrate the Commission's efforts to timely place codified information into a machine system. Further the Commission believes that tariff users and subscribers are entitled to see a published rate rather than resort to mathematical computation or thumb through a tariff looking for the companion rate where contract systems are employed.

Objection: Ports should not be required to be shown on each page.

Reply: This should present no difficulty to any carrier or conference. Many carriers now show such information on each rate page including some of the carriers and conferences objecting to the requirement. For codification and machine purposes the Commission would need such information without resorting to various pages where the information might be published.

Objection: Rate basis should not be required to be shown on each page.

Reply: This requirement will be beneficial to all tariff users and subscribers and even to carriers and conferences. Additionally the rate basis must appear on each page for internal Commission purposes in codifying and machining rates efficiently.

Objection: No requirement should restrict left-hand page supplements.

Reply: With but few exceptions left-hand supplements are not used. Permissive supplementing would destroy uniformity of tariffs, tends to be confusing, and would present difficulty to all concerned in a codified system.

Objection: Rules will require complete revision of tariffs.

Reply: Any useful rules issued by the Commission would require complete revision of tariffs. This appears to be a comment for the sake of commenting.

Objection: New revisions revoke sub silentio concessions previously granted.

Reply: The Commission does not agree. Concessions are still to be gained by carriers and conferences. The format requirement is not a complete revocation of previously granted concessions.

CATEGORY II

Carriers, conferences and an independent data processing corporation (employed by certain conferences) all commented on the use of the Standard International Trade Classification both generally and specifically with reference to unsuitability, inconsistency, ambiguity, inadequacy, impracticability, lack of equivalency of definitions, and unacceptability as a standard to which ocean freight tariffs could conform. The Commission does not believe that the Standard International Trade Classification is such a totally unacceptable document to use for

codification purposes. The Commission is prepared to work closely with carriers and conferences in any area in which a problem might arise. However, recognizing that some problems would be present under any circumstance regardless of the code employed, and further to relieve carriers of the burden of selecting code numbers and to insure uniformity from the beginning, the Commission has decided that it will now assume the burden and responsibility of coding all initial filings. (End of Category II.)

The rules have again been revised. The Commission has changed the format requirements of rate pages, and certain rules now give carriers and conferences an option in respect to the manner in which rates may be filed, e.g., contract and noncontract rates may be shown along side each other rather than one over the other, class rates need not be filed as required by the Commission's prior proposal, carriers and conferences may increase or decrease the width of certain required columns on rate pages, permanent filings need not be made in instances in which temporary filings have been rejected, and partial rejection of a tariff filing in lieu of complete rejection have all been incorporated in the rules. These considerations were all requested by carriers and conferences.

It has been indicated that coding will be done within the Commission. However, a carrier or conference will be permitted to assign code numbers upon request and with written approval of the Commission, subject to such terms and conditions as may be prescribed by the Commission. The staff after coding tariffs will return a copy of each filing to carriers and conferences and thereafter when filing revised tariff matter it will only be necessary for the carriers and conferences to insert thereon the code numbers previously furnished to them. At no time will a carrier or conference be obligated to make reference to any publication to determine a code number. The Commission will undertake this function in its entirety, provided it does not receive requests from carriers or conferences to do their own coding.

Detailed study, review, and analysis has been made by the Commission in all areas of tariff filing. The comments of interested parties have all been carefully considered and where possible and if consistent with the needs of a coding system concessions have been made. The Commission, if it is to fulfill its statutory obligations, must be in a position to expeditiously retrieve rate data from tariffs. The final rules will enable the Commission to store rate data promptly and retrieve it with maximum dispatch, thereby enabling the Commission to make valid rate comparisons, and to review and analyze rates as required for any lawful purpose. The Commission believes that the rules can be implemented by carriers and conferences without creating a hardship upon them and without imposing an unreasonable burden.

The new rules will become effective July 1, 1965, and it should be noted that § 536.13 requires all tariffs to be in conformity with the rules within 6 months after that date. Only new complete tariffs or completely reissued tariffs would have to meet the format requirements of the rules after July 1 and up to January 1, 1966. Tariff amendments may continue to be made in the same format used in a tariff lawfully filed prior to July 1 but only up to January 1, 1966.

These rules are not applicable to cargo loaded and carried in bulk without mark or count, nor to cargo which is lumber. As used here, "the term 'lumber' means lumber not further manufactured than passing lengthwise through a standard planing machine and crosscut to length, logs, poles, piling, and ties, including such articles preservatively treated, or bored, or framed, but not including plywood or finished articles knocked down or setup." 77 Stat. 129.

A common carrier by water in foreign commerce may comply with the tariff filing requirements of section 18(b) of the Shipping Act, 1916, and with these rules, by filing its own individual tariffs, or by participating in a conference tariff filed pursuant to authorization contained in an agreement approved by the Commission pursuant to section 15 of the Shipping Act, 1916.

Therefore, pursuant to the authority of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) and sections 14b, 18(b), and 43 of the Shipping Act, 1916 (46 U.S.C. 813a, 817(b), and 841a), 46 CFR is hereby amended by the addition of a new Part 536 as follows:

Sec.

AUTHORITY: The provisions of this Part 536 issued under secs. 14b, 18(b), 43 of the Shipping Act, 1916, 46 U.S.C. 813a, 817(b), 841a.

§ 536.1 Definitions.

The following definitions of terms used in this tariff circular shall apply unless the context indicates otherwise.

(a) *Person.* The term "person" includes individuals, firms, partnerships, corporations, companies, associations, joint stock associations, trustees, receivers, assignees, or personal representatives.

(b) *Carrier.* The term "carrier" means a common carrier by water in foreign commerce of the United States as defined in section 1 of the Shipping Act, 1916.

(c) *Conference.* For the purposes of this tariff circular only, the term "conference" means any association of common carriers by water, in the foreign commerce of the United States, which is permitted, pursuant to an agreement approved by the Commission under section 15 of the Shipping Act, 1916, to file a tariff, for the common carriers who are members of the approved conference.

(d) *Local rates.* The term "local rates" means rates or charges for transportation over the route of an individual water carrier (or participating carrier in conference tariffs) which is not conditioned upon any prior or subsequent movement of the cargo, or the point of origin or ultimate destination thereof.

(e) *Class rate.* The term "class rate" means rates applicable to all articles which have been grouped according to class ratings set forth in a classification tariff or a classification section of a commodity tariff.

(f) *Proportional rates.* The term "proportional rates" means rates or charges for water transportation which are conditioned upon a prior or subsequent movement of the cargo, or upon the point of origin or ultimate destination thereof.

(g) *Commodity rates.* The term "commodity rates" means rates applying on a commodity or on commodities specifically named or described in the tariff in which the rate or rates are published.

(h) *Open rate.* The term "open rate" applies when a conference relinquishes or suspends rate making authority, in whole or in part, over a specified commodity or commodities, thereby permitting each individual carrier member of the conference to fix its own rates on such commodity or commodities.

(i) *Dual rates.* The term "dual rates" means the two rates offered by a carrier or conference of such carriers in the foreign commerce of the United States, the lower rate applicable to a shipper or consignee who agrees to give all or any fixed portion of his patronage to such carrier or conference, and the higher rate applicable to shippers or consignees who have not so agreed.

(j) *Tariff.* The term "tariff" means a publication containing the actual rates, charges, classifications, rules, regulations, and practices of a carrier or conference of carriers for transportation by water. For the purposes of this tariff circular, the term "practices" refers to those usages, customs or modes of operation which in anywise affect, determine or change a transportation rate, charge or service provided by the carrier and, in the case of conferences, must be restricted to those practices authorized by the basic conference agreement.

(k) *Tariff filing.* The term "tariff filing" means any tariff, or modification thereto, which is received by the Commission as filed pursuant to these rules.

(l) *Commission.* The term "Commission" means the Federal Maritime Commission.

(m) *Open for public inspection.* The term "open for public inspection" means that each carrier shall maintain a complete and current set of the tariffs issued by it or to which it is a party in each of its offices and those of its agents in any city where it transacts business involving such tariffs.

(n) *Act.* The term "Act" means the Shipping Act, 1916.

§ 536.2 Filing of tariffs; general.

(a) Where used in this part, the words "filing," "filed," or "file" when

used with respect to time of filing with the Commission shall mean actual receipt by the Federal Maritime Commission at its offices in Washington, D.C., United States of America.

(b) All tariffs shall be published and filed by an officer or employee of the carrier, or if a conference tariff, by an officer or employee of the conference. In the alternative, publication and filing may be accomplished through an agent authorized to act for such carrier or conference as provided in § 536.12.

(c) No carrier or conference shall publish and file any tariff or modification thereto which duplicates or conflicts with any other tariff on file with the Commission to which such carrier is a party whether filed by such carrier or by an authorized agent.

(d) All tariffs published in a foreign language shall be accompanied, when submitted for filing with the Commission, by three true copies translated into the English language.

(e) All tariffs filed with the Commission, except temporary filings as permitted hereafter in § 536.6(c)(1) shall be accompanied by a letter of transmittal in duplicate which shall clearly identify the tariff and pages involved. The duplicate letter of transmittal will be stamped with the date of receipt by the Commission and returned to the sender.

(f) All tariffs, except as hereafter provided, shall be filed in triplicate. Temporary filings made by mail, as permitted in § 536.6(c)(1) shall be filed in triplicate. Temporary filings made by telegraph or cable, as hereafter provided in § 536.6(c)(1) are not subject to the triplicate filing requirements of this section.

(g) Tariffs sent for filing shall be addressed to:

Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., 20573.

and will not be accepted unless delivered to the Commission free from all charges, including claims for postage.

(h) Each carrier shall keep open for public inspection all tariffs published by it or to which it is a party in the foreign commerce of the United States.

(i) Where carriers are participants in a conference tariff this does not relieve such individual carriers from the necessity of complying with the Commission's regulations and the requirements of section 18(b) of the Act with regard to keeping tariffs open for public inspection.

(j) The obligation of a common carrier to file tariffs pursuant to section 18(b) of the Act, and this part must be carried out by each such carrier filing its own tariff or tariffs or by being a participating carrier in a conference as defined in this part. No carrier or conference may be shown as a participant in a tariff filed by another carrier or conference where such participation has not been approved by the Commission pursuant to section 15 of the Act.

(k) Any tariff submitted for filing, which fails to conform with section 18(b) of the Act or with the provisions of this part, is subject to rejection by the Commission and, upon rejection will be void and its use unlawful. Rejection will be accomplished as hereafter set forth in § 536.6(d)(1).

(l) Copies of all tariffs, subsequent revisions and changes thereto on file with the Commission and in effect, shall be made available by carriers and conferences to any person, and a reasonable charge may be made therefor.

(m) Any new or initial tariffs shall be published and filed with the Commission to become effective not earlier than 30 days after such publication and filing with the Commission, unless special permission to become effective on less than said 30 days has been granted by the Commission pursuant to § 536.9.

§ 536.3 Form and preparation of tariffs.

(a) All tariffs which are filed and kept open to public inspection shall be clear and legible and shall be plainly printed, mimeographed, multilithed, or prepared by other similar permanent process on durable paper of good quality.

(b) No alteration in writing or erasure shall be made in any tariff publication.

(c) Sufficient marginal space of not less than three-fourths of an inch shall be allowed at the left side of each tariff page to permit insertion in tariff binders. In addition, a margin of not less than one-half inch shall be allowed at the bottom of each tariff page for insertion by the Commission of its receipt stamp.

(d) Tariffs shall be in looseleaf form and shall be on pages approximately 8½ by 11 inches. If other than a looseleaf tariff is to be filed, application for permission to make such filing shall be made to the Commission. If permission to file other than a looseleaf tariff is granted by the Commission, such permission will set forth the form and manner of filing the tariff and any amendments or supplements thereto.

(e) Tariff pages shall be printed on one side only, and each page after the title page shall be numbered in the upper right-hand corner. Each page must show the name of the carrier or conference for whose account the tariff is issued, the effective date, the page number, the FMC number of the tariff, etc., as prescribed in Exhibit No. 1.

§ 536.4 Contents of tariffs.

(a) The first page of every tariff shall be a title page and should be printed on paper heavier than that used in the body of the tariff. The title page shall contain the following information:

(1) The name of the carrier or conference for whose account such tariff is issued.

(2) An FMC tariff number assigned by the carrier or conference. For example:

Smith Line Tariff FMC–1.

Each tariff issued by a carrier or conference shall be assigned the next, open, consecutive, FMC Number not previously used. In the case of an initial tariff filed pursuant to section 18(b) of the Act the first tariff shall be assigned tariff number FMC–1. Each other tariff thereafter issued by the carrier or conference shall be assigned a different FMC number in consecutive order. Under the FMC tariff number shall be shown the FMC tariff number or numbers of any tariff or tariffs canceled by the issuance of such tariff. For example:

Smith Line Tariff FMC–14 cancels Smith Line Tariff FMC–5 and Smith Line Tariff FMC–9

or

Smith Line Tariff FMC–14 cancels Smith Line Tariff FMC–12.

It shall not be necessary for a carrier or conference to reissue a tariff, or any portion thereof, immediately on the effective date of this part solely for the purpose of assigning the proper FMC number of such tariff as required by this section. It will be sufficient for each carrier and conference to file with the Commission an amendment to the title page of each tariff or file with the Commission assigning to such tariff the new FMC number. Thereafter, each modification filed to such tariff shall bear the proper FMC number on each page. However, within 1 year after the effective date of this part, all tariffs on file with the Commission must have been properly reissued with the FMC number required by this part.

(3) When an individual carrier, partnership or joint service operates under a trade name, the individual name or names shall be shown as well as the trade name, or reference may be made to an internal tariff page where this information is shown.

(4) (i) A list of the ports covered by the tariff, or reference to an internal tariff page where such ports are listed. In lieu of such listing of ports, a statement of the range of ports served will be accepted, provided any exclusion of any port within the range and any restriction applying at any port within the range are specifically stated.

(ii) Whenever tariff application is shown by identification of a range of ports in lieu of listing of ports, such range of ports must be within a geographical area generally served by the carrier or carriers participating in the tariff.

(5) A statement showing the type of rates contained in the tariff. For example: Local, proportional, class, commodity, etc. Where a carrier or conference tariff includes contract rates, as described in § 536.5(m), the title page shall state that such rates are included.

(6) A reference to other publications which in any manner govern the tariff, or reference may be made on the title page to an internal tariff page identifying such governing publications.

(7) The date on which the tariff will become effective. Every tariff in which any provision is to become effective upon a date different from the general effective date of such tariff, shall so indicate in substantially the following form:

Effective: _____ (except as otherwise herein provided) or (except as provided in Item) or (except as provided on Page).

(8) The name, title and address of the person issuing the tariff, or if the carrier or conference has authorized an agent other than an official thereof to file a tariff with the Commission as authorized in § 536.13, the name, title and address of such filing agent.

(9) An expiration date, if the entire tariff publication is to expire on a specified date.

(10) The name of all participating carriers in the tariff, if more than one such carrier participates, or reference may be made to an internal page on which are listed the names of all participating carriers.

(b) All pages after the title page shall be numbered beginning with "Original Page 1", "Original Page 2", etc. Each page as thereafter revised shall be a consecutively numbered revision of the same page. For example:

The 7th page in a tariff as originally filed would be titled "Original Page 7." The first revision of this page 7 would be titled "First Revised Page 7," cancels original page 7. See § 536.6(b)(3).

The body of the tariff shall contain the following:

(1) The full corporate name of each participating carrier with address of the principal office, if not shown on the title page.

(2) The trade name, if any, and the carrier or carriers, if not shown on the title page.

(3) A list of the ports or range of ports to and from which the tariff rates apply, if not shown on the title page. See § 536.4(a)(4).

(4) A statement indicating the extent of any limitation or restriction, if the application of any of the rates, charges, rules, or regulations stated in the tariff are restricted to any particular port, pier, etc., or otherwise limited.

(5) A single, complete index alphabetically arranged for commodities for which rates in the tariff are named, together with a reference to each item or page where a particular article is shown. Class rate tariffs and tariffs containing both class and commodity rates shall contain, in addition to item or page reference where applicable, the ratings of commodities to which class rates apply (see Exhibit No. 6). Such index may be omitted where rates on less than 25 commodities are included in the tariff. All articles generic to different species of the same commodity should be grouped together. For example:

Paper, building: paper, printing; paper, wrapping.

(6) A full explanation of any symbols, reference marks or abbreviations used in the tariff. If such explanation does not appear on the page where the reference marks or symbols are used, such page shall refer to the page in the tariff where the explanation is given. The symbols shown in § 536.6(b)(2) shall be used only for the purpose indicated therein.

(7) If governed in any manner by other publications, as may be permitted herein, a reference thereto substantially in the following form:

This tariff is governed, except as otherwise provided herein, by Bill of Lading Tariff FMC No. (or by Rules Tariff FMC No. ----), etc.

Where such reference is fully made on the title page, reference in the tariff elsewhere is unnecessary. Governing publications must be on file with the Federal Maritime Commission.

(8) All rates applicable to the transportation of the articles or classes of articles on which rates are named in the tariff. Rates shall be set forth as required by § 536.5.

(9) Rules and regulations which in anywise affect the application of the tariff. Rules and regulations shall be governed by the following requirements:

(i) The rules shall include specimens of any bill of lading, contract of affreightment or other document evidencing the transportation agreement, unless a separate bill of lading tariff is on file with the Commission as permitted in § 536.10(a).

(ii) Where a rule affects only a particular item or rate, such item or rate must specifically refer to such rule.

(iii) Each rule or regulation shall be numbered.

(iv) No rate tariff shall require reference to any other rate tariff for determination of any applicable rate.

(v) Where a carrier or conference uses a contract rate system the tariff shall fully and clearly explain the application of the contract rate system, and shall include a true copy of the approved contract.

(vi) Where a conference opens rates as permitted in § 536.5 (n) and (o) the tariff shall fully and clearly explain the extent to which rates have been opened. Any restriction or limitation on the right of participating carriers to fix their own rates on open rate items, and the extent to which applicable rules and regulations of the conference tariff will continue to govern the rates filed by each individual line, shall be stated.

(vii) Where it is not desirable or practicable to include the governing rules or regulations, or specimens of the bill of lading or other contract of affreightment in a rate tariff, such rules and regulations or bill of lading may be published and filed in separate tariffs, provided special reference is made in the rate tariff to such separate governing publication as required in § 536.10(a).

(viii) Tariffs which contain rates for the transport of explosives, inflammables, corrosive material, or other dangerous articles, shall contain the rules and regulations of the carrier or conference governing the transportation of such articles, or shall bear reference to a separate publication which contains such rates and regulations.

(ix) Tariffs shall clearly state all of the services provided to the shipper and included in the transportation rates set forth therein.

§ 536.5 Statement of rates.

(a) The application of all rates shall be clear and definite and explicitly stated per 100 pounds, per cubic foot, per ton of 2,000 pounds, per ton of 2,240 pounds, or some clearly defined unit.

(b) Commodities and commodity groupings on which rates are stated shall be listed in alphabetical order and item numbers shown if published in the index. All rates shall be stated in a simple and systematic manner.

(c) The Commission shall assign commodity code numbers to tariffs and tariff filings as rapidly as possible. As commodity code numbers are assigned, a coded triplicate copy of a tariff or tariff filing initially filed pursuant to these rules will be returned to the carrier and/or conference. Thereafter upon amendment each coded tariff or tariff filing shall contain the assigned code number. Whenever a tariff page is revised and contains an item previously coded by the Commission but published on a different page the assigned code number shall be shown on such revised page. Code numbers shall not be assigned by carriers or conferences upon initial filings made pursuant to these rules nor shall code numbers be assigned by carriers or conferences to any commodity not previously published in a tariff; provided, however, a carrier or conference may assign code numbers upon request and written approval of the Commission, subject to such terms and conditions as may be prescribed by the Commission.

(d) Where rates are stated in amounts per package, the type of package must be described. Method of packing with specifications showing size, measurement or weight of the packages on which such rates applies shall be shown.

(e) Where rates vary depending upon whether cargo is packed, crated, palletized, bundled, strapped, loose, or otherwise prepared or delivered for shipment, there shall be a statement clearly and specifically governing the application of such rates. (See Exhibit No. 2.)

(f) Where rates from or to designated ports are determined by the addition or deduction of arbitraries or differentials to or from rates applicable at other ports, such application shall be clearly shown.

(g) A commodity item may, by use of a generic term, provide rates on a number of articles without naming such articles, provided such term contains reference to an item in the tariff which clearly defines the type of commodities contained in such generic term or which contains a complete list of such articles, or contains reference to the FMC number of a separate tariff of the same carrier or conference containing such definition or list of such articles.

Example: Packinghouse products, as described in Item __ or packinghouse products, as described under heading "Packinghouse products" in FMC No. ___, or successive issues thereof.

(h) A separate tariff, not containing rates, may be filed by a carrier or conference showing a list of the commodities on which rates published by reference to generic terms will apply, and rate tariffs shall be made subject thereto as provided above.

(i) When commodity rates are established, the description of the commodity must be specific. Rates may not be applied to analogous articles.

(j) The rate section of a tariff may contain a rate applicable to all commodities, or all commodities of a class, on which specific commodity rates are not stated in the tariff, to be called cargo, n.o.s. (not otherwise specified), general cargo, or other identifying name, or by broad generic heading such as chemicals, n.o.s.

(k) A separate tariff naming rates on a group of related commodities may be

published, provided however, that such tariff shall contain all of the rates applicable to such commodities which are published by the same carrier or conference to or from the same ports. When such tariffs are published, reference shall be made thereto in the tariff of general application for the same carrier or conference, to or from the same ports.

(l) Publication of rates which duplicate or conflict with the rates published in the same or any other tariff is not permissible, and, except as otherwise authorized in this part, the publication of a statement in a tariff to the effect that the rates published therein take precedence over the rates published in some other tariff, or that the rates published in some other tariff take precedence over or alternate with the rates published therein, is prohibited, provided however, that where a carrier or conference publishes both commodity and class rates a statement shall be published in the tariff clearly indicating which of the two rates shall apply on the commodity or commodities on which both class rates and commodity rates are published.

(m) Where a conference or carrier uses a dual rate system approved by the Commission and states in its tariff two rates pursuant to such system, each commodity item in the tariff subject to dual rates shall indicate such "Contract Rates" and "Noncontract Rates" as prescribed in Exhibits Nos. 3 through 7.

(n) Where a conference opens any or all rates, each tariff item so opened shall be amended to indicate the word "open" in place of the previously stated rate, and shall indicate a reference to a published rule in the tariff clearly defining the word "open" as used in such tariff.

(o) Where a conference opens rates pursuant to paragraph (n) in this section, for an individual conference member to then charge rates on such an item, there must be on file with the Commission the individual member's proper tariff rate covering such item as required by these rules. This may be accomplished by each individual carrier filing a complete tariff pursuant to this part, or by the official or tariff agent of the conference, or the carrier, filing as a separate supplement at the end of the conference tariff a page or pages indicating the rates which will be charged by each individual carrier, and the governing rules and provisions of the conference tariff which will apply to each carrier. Separate open rate tariffs may be published by an official or tariff agent of a conference.

(p) If only a portion of particular rates or other provisions will expire with a specified date, a notation to that effect shall clearly be shown in connection with such item, as indicated in Exhibit No. 2.

(q) Temporary or special or emergency rates or rates conditioned upon an expiration date or other factor shall be shown under the same commodity or generic heading or class in the same place in the tariff as the ordinarily applicable rates. See Exhibit No. 5.

(r) All rate pages shall be filed in the form and manner as prescribed in Exhibits Nos. 1 through 7. Where space permits, contract and noncontract rates, properly identified, may be shown in column form (side-by-side) rather than the manner shown in Exhibit No. 3.

(s) The number of rate columns may be varied as required to state rates to one or more ports, groupings or ranges of ports. The width of all columns in the rate block section of tariff rate pages may be varied as required, provided, however, that the width of the commodity code column is not less than 1 inch.

§ 536.6 Amendments to tariffs.

(a) *General tariff amendments.* (1) All changes in, additions to, or deletions from a tariff shall be known as amendments. All amendments to tariffs shall be in permanent form as set forth hereafter.

(2) Amendments which provide for new or initial rates, or amendments which provide for changes in rates, charges, rules, or other provisions resulting in an increase in cost to the shipper shall be published and filed with the Commission to become effective not earlier than 30 days after the date of publication and filing with the Commission, unless special permission to become effective on less than said 30 days notice has been granted by the Commission pursuant to § 536.8.

(3) Amendments which provide for changes in rates, charges, rules, regulations, or other provisions resulting in a decrease in cost to the shipper, or amendments which result in no change in cost to the shipper may become effective upon the publication and filing with the Commission.

(4) An amendment containing a rate on a specific commodity not previously named in a tariff is a reduction or no change in cost to the shipper and may become effective upon publication and filing with the Commission, provided that the tariff contains a cargo, n.o.s. rate or similar general cargo rate, which rate would otherwise be applicable to the specific commodity, and further provided that the specific commodity rate is equal to or lower than the previously applicable cargo, n.o.s. rate or general cargo rate.

(5) An amendment which provides for the elimination of a specific commodity and rate applicable thereto from a tariff, thereby resulting in the application of a higher cargo, n.o.s. rate, or general cargo rate, is a rate increase and shall be published and filed with the Commission to become effective not earlier than 30 days after the date of publication and filing with the Commission in the absence of special permission for an earlier effective date pursuant to § 536.8.

(b) *Permanent tariff amendments.* (1) Amendments to looseleaf tariffs shall be made by reprinting the page upon which such amendments are made. Such page shall be designated in the upper right-hand corner as a revised page. For example:

First revised page 1

or

Fifth revised page 21

See Exhibits Nos. 1 through 7.

(2) The revised page filed to accomplish a tariff amendment shall reprint the page to be replaced in its entirety, changing only the matter on the page which is modified. Changes made in existing rates, charges, classifications, rule, or other provisions shall be indicated by the following uniform symbols:

(R) To denote reduction.
(A) To denote increase.
(C) To denote changes in wording which result in neither increase nor reduction in charges.
(D) To denote deletion.
(E) To denote an exception to a general change.
(N) To denote reissued matter.
(I) New or initial matter.

An explanation of such symbols shall be set forth in the tariff as required by § 536.4(b)(6).

(3) Each revised page filed to accomplish a tariff amendment shall cancel the previously issued page of that number upon which the change is made. Immediately under the designation of the new revised page number shall be indicated the previous page which is being canceled. For example:

First revised page 1 cancels original page 1

or

Fifth revised page 21 cancels fourth revised page 21

All matter on the page to be canceled which is not being changed shall be reissued on the revised page as it was in the page being canceled. See Exhibits Nos. 1 through 7.

(4) Each revised page to accomplish a tariff modification shall, in the upper right-hand corner of the page, state the effective date of the changes made on that page. Such effective date shall be subject to the requirements of section 18(b) of the Act and of this section. Revised pages may, if desired, also show an issue date.

(5) When a revised page canceling a previous page deletes any matter contained in the previous page, the deletion shall be indicated by the symbol (D) and the appropriate symbol in subparagraph (2) of this paragraph further indicating the effect of the deletion on rates or charges.

(6) Every tariff amendment which accomplishes a change in the tariff upon less than statutory notice pursuant to special permission granted by the Commission, shall show in connection with such change a notation as provided for in § 536.8.

(7) Increased rates brought forward without change, prior to becoming effective, from a tariff page which has not been in effect 30 days shall be designated "reissued", and shall show the original effective date.

(8) If, on account of expansion of matter on any page, it becomes necessary to add an additional page in order to take care of the additional matter, such additional page (except when it follows the final page) shall be given the same number as the previous page with a letter suffix unless all subsequent pages are reissued and renumbered. For example:

Original Page 4–A, Original Page 4–B, etc.

If it is necessary to change matter on Original Page 4–A, it may be done by issuing First Revised Page 4–A, which

shall indicate the cancellation of Original Page 4–A.

(9) When a revised page is issued which deletes rates, rules, or other provisions previously published on the page which it cancels, and such rates, rules, or provisions are published on a different page, the revised page shall make specific reference to the page on which the rates, rules or provisions will be found, and the page to which reference is made shall contain the following notation in connection with such rates, rules or other provisions, etc.

For (here insert rates, rules, other provisions, etc., as case may be) in effect prior to the effective date hereof see page —.

Subsequently revised pages of the same number shall omit this notation insofar as this particular matter is concerned.

(10) The following method shall be used in identifying and checking revised pages filed for the purpose of amending tariffs:

(i) When the original tariff is filed, the page following the title page shall be designated a "check sheet".

(ii) The check sheet shall contain correction numbers which shall be in consecutive numerical order beginning with the number one (1), with a blank space provided with each correction number. A correction number shall be placed in the upper right-hand corner of each revised page. This procedure will provide a cross reference and a permanent record of all corrections made to the tariff.

(c) *Temporary tariff amendments.* In order to facilitate the filing of rate changes as quickly as possible, without the delay necessitated by preparation and filing of permanent revised pages as required above, temporary filings will be permitted subject to the following conditions:

(1) Temporary filings may be made by telegram or cable, or by mailing to the Commission letters, rate advices, rate circulars, rate advances, etc. Such temporary filings must contain the following information:

(i) The identification of the carrier or conference.

(ii) Identification of the tariff being amended.

(iii) Any code number previously assigned by the Commission.

(iv) An exact description of the commodity on which a rate is being changed.

(v) The previously issued page upon which the item being changed is contained.

(vi) The new rate to be filed.

(vii) The effective date of the rate change.

(viii) A statement that this is a rate increase, decrease, or a new or initial filing.

(2) If the temporary filing is pursuant to special permission authority which has been granted, reference must be made to the special permission number.

(3) Temporary amendments received by the Commission for filing cannot be withdrawn or rescinded in any manner.

(4) Any carrier or conference making a temporary filing shall at the same time furnish all subscribers to the tariff all the information furnished to the Commission as required in subparagraph (1) of this paragraph.

(5) All temporary filings permitted by this section must be followed by the permanent filing of a revised page to accomplish tariff changes as required by this section. Such permanent modifications to take the place of the temporary filing must be received by the Commission within 15 days after receipt of the temporary filing for carriers or conferences making such filing from within the continental United States, and within 30 days after receipt of such temporary filing when the carrier or conference is located outside the continental United States.

(6) A permanent filing need not be made where a temporary filing is rejected by the Commission. However, all tariff subscribers must be notified that the temporary filing has been rejected.

(7) In the event a carrier or conference which has filed a rate change by temporary filing as permitted by this section should fail to properly file the permanent tariff modification to take the place of such temporary filing in the form and within the time limit above provided, a warning letter or collect telegram shall be sent to such carrier or conference. Immediate steps shall be taken by the carrier or conference to properly file the followup permanent filing. If a carrier or conference fails to correct such delinquent permanent filing after one warning, or if a carrier or conference after correction of one such delinquent filing, should fail a second time to file a permanent tariff modification to take the place of a temporary filing within the time limits provided, the Commission shall notify such carrier or conference that it no longer has the privilege of making rate changes by temporary filing as permitted in this section and thereafter, until further notice from the Commission, such carrier or conference may make tariff amendments only by filing of permanent tariff modifications as set forth in this section.

(d) *Rejection of tariff amendments or other tariff publications.* (1) Any amendment or other tariff publication submitted for filing which fails in all respects to conform with section 18(b) of the Act or with the provisions of this part, is subject to rejection. When an amendment or other tariff publication is rejected, the Commission, acting through a designated administrative officer, will inform the carrier, conferences, or agent tendering such amendment or other tariff publication for filing, by telegram, cablegram, or letter, of such rejection.

(i) Upon receipt of notice of a rejection, the carrier, conference, or agent shall immediately remove such rejected tariff amendment or other publication from the effective tariff, and shall immediately notify all subscribers to such tariff that the rejected amendment or other tariff publication is void.

(ii) The number assigned to an amendment or other tariff publication which has been rejected may not again be used. The rejected amendment or other tariff publication may not be referred to in any subsequent amendment or other tariff publication in any manner whatsoever, except that a notation shall appear on the new amendment or other tariff publication issued to replace that which has been rejected, reading substantially in accordance with the following example:

6th revised page No. 8 (issued in lieu of 5th revised page No. 8 rejected by the Federal Maritime Commission) cancels fourth revised page No. 8.

(2) Any amendment or other tariff publication submitted for filing containing more than one change, one or more but not all of which fails to conform with section 18(b) of the Act or with the provisions of this part is subject to partial rejection. When an amendment or other tariff publication is partially rejected, the Commission, acting through a designated administrative officer, will inform the carrier, conference, or agent tendering such amendment or other tariff publication for filing, by telegram, cablegram, or letter, of such partial rejection.

(i) Upon receipt of notice of a partial rejection, the carrier, conference, or agent shall immediately notify all subscribers to the tariff of the partial rejection. The carrier, conference or agent shall then resubmit a revised amendment or other tariff publication to the Commission deleting the partially rejected matter or otherwise conforming such matter to section 18(b) of the Act or with the provisions of this part.

(ii) The number assigned to an amendment or other tariff publication which has been rejected in part may not be used again. Resubmission of the revised amendment or other tariff publication shall be accomplished as prescribed in subparagraph (1) of this paragraph.

§ 536.7 Supplements.

(a) Supplements to tariffs may be filed to accomplish the following:

(1) To cancel a tariff in whole or in part.

(2) To provide for a general rate decrease applicable to all, or substantially all, of the commodities listed in a tariff.

(3) To provide for a general rate increase applicable to all, or substantially all, of the commodities listed in a tariff.

(4) To indicate seasonal discontinuance or temporary suspension or reinstitution of service covered by a tariff.

(5) To provide for change in name of carrier or agent.

When supplements are filed as provided for in subparagraphs (2) and (3) of this paragraph and the rate increase or decrease is not applicable to all commodities, a notation shall appear on the supplement in one of the following forms:

The general rate increase (decrease) provided for on this page applies to all commodities stated herein except the following: (Here list the excepted commodities or commodity item numbers) or the general rate increase (decrease) provided for on this page applies to all commodities stated herein except those noted on page —.

(b) Additional supplements to other than looseleaf tariffs shall be filed as set forth in any special permission granted by the Commission pursuant to §§ 536.3 (d) and 536.8.

(c) Supplements shall be numbered consecutively on the upper right-hand corner of each page as follows:

Supplement No. 1 to FMC Tariff No. —.

§ 536.8 Application for special permission.

(a) Section 18(b) of the Act authorizes the Commission, in its discretion and for good cause shown, to permit increases in rates or issuance of new or initial rates on less than statutory notice. The Commission may also in its discretion and for good cause shown permit departure from the regulations in this part. The Commission will grant such permissions only in cases where real merit is shown. Where correction of clerical or typographical errors results in a rate increase, section 18(b) of the Act requires such correction to become effective not earlier than 30 days after filing with the Commission. Clerical or typographical errors will be considered to constitute good cause for the exercise of this authority, but every application based thereon must plainly specify the error, together with a full statement of the attending circumstances and must be presented with reasonable promptness after issuance of the defective tariff publication.

(b) Application for special permission to establish increase in rates on less than statutory notice, or for waiver of the provisions of this tariff circular must be made by the carrier, conference, or agent that holds authorization to file the proposed publication.

(c) Application for special permission shall be made by cable, telegram, or letter. In an emergency situation special permission applications may be made by telephone provided that such application is promptly followed by cable, telegram, or letter.

(d) If the authority granted by special permission is used, it must be used in its entirety and in the manner set forth in such special permission. If it is not desired to use all of the authority granted and less or more extensive or different authority is desired, a new application complying with the requirements of this part in all respects and referring to the previous permission must be filed.

(e) Application for special permission shall contain the following information:

(1) The name of the conference or carrier in whose name the special permission is requested.

(2) Identification of the specific tariff involved.

(3) The rate, commodity, code number if previously assigned by the Commission, rules, etc. (related to the application), and the special circumstances which the applicant believes to constitute good cause to make a tariff change on less than the statutory period required in section 18(b) of the Act.

(f) Every tariff filed pursuant to a special permission granted by the Commission shall contain a notation to such effect in the following form:

Issued under authority of the Federal Maritime Commission Special Permission No. F (here fill in assigned number).

§ 536.9 Statement of terminal or other charges.

(a) Every tariff filed pursuant to this part shall state separately any terminal or other charge, privilege, or facility under the control of the carrier or conference which is granted or allowed.

(b) Wherever a tariff includes charges for terminal services, canal tolls or other additional charges not under the control of the carrier or conference, which merely acts as a collection agent for the charges, and the agency making such charges to the carrier increases the charges without notice to the carrier or conference, such charges may be increased in the carrier or conference tariff without being subject to the 30-day advanced filing requirement of this part whether included in the through rate or separately stated on the bill of lading.

§ 536.10 Other governing tariffs.

(a) If it is not desirable or practicable to include governing rules of a tariff, as required by § 536.4(b)(9), or bills of lading or contracts of affreightment as required by § 536.4(b)(9)(i), in the general rate tariff, these may be separately filed and published in a rules tariff and/or bill of lading tariff. When rules, regulations, bills of lading, or other governing provisions are thus separately published, rate tariffs shall be made subject thereto by specific FMC reference in the rate tariff as follows:

Governed, except as otherwise provided herein by (rules or regulations) (bills of lading) shown in tariff FMC No. _____.

(b) Tariffs naming rates for the transportation of explosives, inflammables, or corrosive material, or other dangerous articles, shall contain as required by § 536.4(b)(9)(viii), the rules and regulations issued by the carrier or conferences governing the transportation of such articles, or shall if possible, bear reference to a separate publication where such regulations are available to the general public.

§ 536.11 Transfer of operations; changes in name and control; changes in conference membership.

(a) Whenever the name of a common carrier having an individual tariff on file with the Federal Maritime Commission is changed, or its operating control is transferred to another common carrier, the carrier which will thereafter operate the service shall make appropriate tariff filings to indicate the change in name. Subsequent filings to such tariff shall indicate the new name of the carrier involved.

(b) Wherever the name of a carrier who participates in a conference is changed, the conference shall file an appropriate amendment to the tariff to indicate the change in name to the new carrier.

(c) Whenever a new carrier becomes a participant in a conference tariff and the rates published in the conference tariff are equal to or lower than the new carrier's previously filed rates, cancellation of the new carrier's tariff and publication of a revised participating carrier's page in the conference tariff may become effective upon filing with the Commission. However, where such participation of a new carrier in a conference tariff results in higher rates being charged by the new carrier than previously stated in its individual tariff such participation and cancellation of the previous individual tariff shall not become effective earlier than 30 days after the date of filing with the Commission unless special permission is granted to file on less than such period of time pursuant to § 536.8.

§ 536.12 Delegation of authority to file tariffs.

(a) A carrier or conference may grant authority to a person, not an official or employee of such carrier or conference, as agent to act for such carrier or conference in the issuance of all its tariffs, or any particular tariff.

(b) Whenever there is such delegation of authority by a carrier or conference, there shall be filed with the Commission a statement indicating the appointment of such agent and setting forth the exact limits of the authority of such appointed agent.

§ 536.13 Effective date of this part and time limit within which tariff format must comply therewith.

This part shall become effective on July 1, 1965. Any completely new tariff or completely reissued tariff made on or after said date must comply in all respects with this part. Any tariff amendment made on or after July 1, 1965, to a tariff lawfully on file with the Commission prior to that date may be filed in the same format as used in such lawfully filed tariff; provided however, that such tariffs and amendments thereto must on or after July 1, 1965, include required matter otherwise prescribed in this part. Within 6 months from said effective date all tariffs and amendments thereto must be made to conform in all respects with this part.

EXHIBIT No. 1

Name of Carrier or Conference and Tariff Number				Orig./Rev.	Page
				Cancels	Page
From: (Range or ports)	To: (Range or ports)			Effective date	
				Correction	
Except as otherwise provided herein, rates apply per ton of —— or — cubic ——, whichever produces the greater revenue.		Type*	Rate basis	1	2	Item*
Commodity code	Commodity description and packaging					
	Explanation for use of this exhibit: All tariff pages, except the title page, shall be filed in the form and manner as prescribed above the rate block on this page.					

*As applicable.

EXHIBIT No. 2

Name of Carrier or Conference and Tariff Number				Orig./Rev.	Page
				Cancels	Page
From: (Range or ports)	To: (Range or ports)			Effective date	
				Correction	
Except as otherwise provided herein, rates apply per ton of (2,000 lbs.) or (40) cubic (feet) whichever produces the greater revenue.		Rate basis	1	2	Item*
Commodity code	Commodity description and packaging				
	Fans, electric	W/M	78.00		
	Glasses, sun	M	68.75		
	Lime, hydrated, packed	W	29.25		
	Tractors:				
	Unpacked	W/M	45.00		
	Packed	W/M	40.00		
	Zinc, VIZ:				
	Bars, circles, ingots, pigs, plates, sheets, shot, slabs.	2240 or 40 CF	29.00		
	Ingots:				
	Special rate effective Apr. 1, 196-, expiring May 1, 196-.	2240	27.00		
	Ingots:				
	Special rate effective May 1, 196-, expiring June 1, 196-.	2240	28.00		
	(Broken Line Not To Be Used)				
	Explanation for use of this exhibit: Conference or Carrier: Single level or rates; one port or the same rate to several ports, or range of ports; temporary rates.				

*Optional column.

EXHIBIT No. 3

Name of Carrier or Conference and Tariff Number	Orig./Rev.	Page
	Cancels	Page
From: (Range or ports) To: (Range or ports)	Effective date	
	Correction	

Except as otherwise provided herein, rates apply per ton of (2,240 lbs.) or (40) cubic (feet) whichever produces the greater revenue.		Type **	Rate basis	(Ports or range)	(Ports or range)	Item**
Commodity code	Commodity description and packaging					
	Alcohols (effective May 10, 6-)* (I)***	C	100#	3.30	3.55	
		NC		3.88	4.17	
	Canned goods:					
	Fish	C	100#	2.15	2.15	
		NC		2.65	2.65	
	Vegetables:					
	48/9 oz. tins	C	Case	.93	.98	
		NC		1.01	1.08	
	48/7 oz. tins	C	Case	.70	.75	
		NC		.75	.90	
	24/16 oz. tins	C	Case	1.17	1.25	
		NC		1.24	1.35	
	(Broken Line Not To Be Used)					
	Explanation for use of this exhibit: Conference or Carrier: Dual-rate system; two ranges of destination ports; rates per case or per 100 lbs.					

*Issued under authority of the FMC Special Permission No. —.
**As applicable.
***Change symbols must be shown in the commodity description column either to the left or right of the commodity

EXHIBIT No. 4

Name of Carrier or Conference and Tariff Number	Orig./Rev.	Page
	Cancels	Page
From: (Range or ports) To: (Range or ports)	Effective date	
	Correction	

Except as otherwise provided herein, rates apply per ton of (2,240 lbs.) or (40) cubic (feet) whichever produces the greater revenue.		Type*	Rate basis	1	2	Item*
Commodity code	Commodity description and packaging					
	Fans, electric	C	W/M	63.75		
		NC		70.75		
	Glasses, sun (I)**	C	M	63.75		
		NC		70.75		
	Lime, hydrated, packed	C	W	23.75		
		NC		26.50		
	Liquors		M	Open		
		Min		36.00		
	Transferred to medicines, patent preparations (D)(R)**					
	Transferred to liquors (D)(I)**					
	(Broken Line Not To be Used)					
	Explanation for use of this exhibit: Conference or Carrier: Dual-rate system: One range of ports; deletion of rates showing reduction and increase in rates due to deletion.					

*As applicable.
**Change symbols must be shown in the commodity description column either to the left or right of the commodity.

EXHIBIT No. 5

Name of Carrier or Conference and Tariff Number	Orig./Rev.	Page
	Cancels	Page
From: (Range or ports) To: (Range or ports)	Effective date	
	Correction	

Except as otherwise provided herein, rates apply per ton of (2,240 lbs.) or (40) cubic (feet) whichever produces the greater revenue.					
Commodity code	Commodity description and packaging	Type*	Rate basis	(Ports or range)	(Ports or range)	Item*
	Iron and steel: Turnbuckles	C		29.50	32.50	
		NC		32.25	35.50	
	Emergency / Temporary / Special: Rate effective June 1, 6– to July 31, 6–(R)**	C		26.00	28.50	
		NC		28.50	31.25	
	Medicines, patent preparations:					
	Value not exceeding $500.00 per 40 cubic feet	C		34.00	37.50	
		NC		37.25	41.00	
	Value exceeding $500.00 but not exceeding $1,000.00 per 40 cubic feet	C		52.75	58.00	
		NC		57.75	63.50	
	Value exceeding $1,000.00 per 40 cubic feet	C		67.75	74.50	
		NC		74.25	81.50	
	(Broken Line Not To Be Used)					
	Explanation for use of this exhibit: Conference or Carrier: Dual-rate system: Valuation rates and special, emergency or temporary rates.					

*As applicable.
**Change symbols must be shown in the commodity description column either to the left or right of the commodity.

EXHIBIT No. 6

Name of Carrier or Conference and Tariff Number	Orig./Rev.	Page
	Cancels	Page
From: (Range or ports) To: (Range or ports)	Effective date	
	Correction	

Commodity index

Commodity code	Commodity	Class or item No.*	Commodity code	Commodity	Class or item No.*
	Abrasive	2		Iron or steel articles, viz:	
	Absorbent cotton	160		Anchors	1
	Ale, ginger	3 M		Balls, grinding	365
	Ammonia, anhydrous	45		Forgings	365
	Animal feed supplements	257		Horseshoes	2 W
	(Broken line not to be used)				
	Explanation for use of this exhibit: Conference or Carrier: Single level or dual-rate system; class or class and commodity tariff. Commodity code numbers on index pages will be assigned by the Commission only for class-rated commodities.				

*Where tariff publishes both class and commodity rates, as above, the first nine (9) digits should be reserved for class ratings.

EXHIBIT No. 7

Name of Carrier or Conference and Tariff Number	Orig./Rev.	Page
	Cancels	Page
From: (Range or ports) To: (Range or ports)	Effective date	
	Correction	

Class rates

Except as otherwise provided herein, rates apply per ton of (2,240 lbs.) or (40) cubic (feet) whichever produces the greater revenue.	Class			
Ports to Which Rates Apply	1	2	3	
Ports A, B, C:*				
Contract	$100.00	$70.00	$30.00	
Noncontract	115.00	80.50	34.50	
Ports D, E, F*	80.00	60.00	20.00	

*As applicable to dual rate or single level rate tariffs.

By the Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-5572; Filed, May 26, 1965; 8:50 a.m.]