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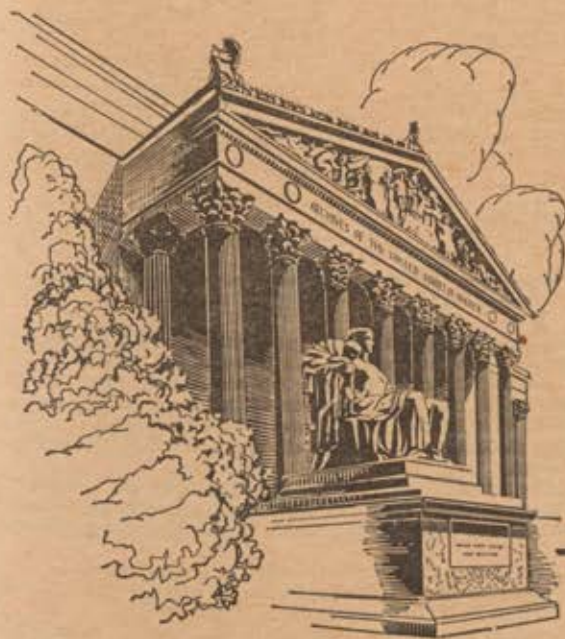
Wednesday, June 21, 1967 • Washington, D.C.

Pages 8789-8845

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Conservation Service
Agriculture Department
Atomic Energy Commission
Business and Defense Services
Administration
Civil Aeronautics Board
Consumer and Marketing Service
Federal Aviation Administration
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Federal Highway Administration
Federal Home Loan Bank Board
Federal Maritime Commission
Food and Drug Administration
Geological Survey
Interstate Commerce Commission
Land Management Bureau
Navy Department
Securities and Exchange Commission
Small Business Administration

Detailed list of Contents appears inside.



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1967

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SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-498; Amdt. 4]

PART 233—TRANSPORTATION OF MAIL; FREE TRAVEL FOR POSTAL EMPLOYEES

Postal Employees To Be Carried Free

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of June 1967.

In EDR-114, dated April 26, 1967, 32 F.R. 6714, Docket 18470, the Board issued a notice of proposed rule making to amend Part 233 of its Economic Regulations (14 CFR Part 233), by adding to and modifying the list of Post Office Department employees eligible for free air transportation without having to present a "Request for Access to Aircraft for Free Transportation" on U.S. Government Standard Form No. 160.

No objections to the proposal have been received. However, the Department requested that the position "Director of Administration in the Bureau of Research and Engineering" be changed to "Director of Operations in the Bureau of Research and Engineering" in accordance with redesignation of the position. This change is reflected in the final rule adopted herein.¹

Accordingly, the Board hereby amends Part 233 of its Economic Regulations (14 CFR Part 233) by amending paragraphs (c) through (f) of § 233.1, effective July 21, 1967, to read as follows:

§ 233.1 Postal employees to be carried free.

(c) The Executive Assistant to the Postmaster General; the three (3) Special Assistants to the Postmaster General; the Administrative Assistant to the Postmaster General; the two (2) Executive Assistants to the Deputy Postmaster General; and the Director, Office of Regional Administration and his Deputy.

(d) The Assistant Postmaster General—Operations; the Assistant Postmaster General—Transportation and International Services; the Assistant Postmaster General—Finance and Administration; the Assistant Postmaster General—Facilities; the Assistant Postmaster General—Personnel; the General Counsel; the principal Deputy of each of the foregoing Assistant Postmasters General and of the General Counsel;

the Assistant Postmaster General—Research and Engineering; and the Director of Operations in the Bureau of Research and Engineering.

(e) The Chief Postal Inspector; the Deputy Chief Postal Inspector; and the Director, Office of Planning and Systems Analysis.

(f) The Director, Distribution and Routing Division; the Director, Air Transportation Branch; the Director, International Service Division, Bureau of Transportation and International Services; the Assistant General Counsel, Transportation; the Regional Director in each of the 15 Postal Regions; the fifteen (15) Postal Inspectors-in-Charge; and the Field Service Officers in Alaska.

(Secs. 204(a), 405(j), Federal Aviation Act of 1958, as amended, 72 Stat. 743, 760; 49 U.S.C. 1324, 1375)

By the Civil Aeronautics Board.

[SEAL] MABEL McCART,
Acting Secretary.

[P.R. Doc. 67-6957; Filed, June 20, 1967; 8:47 a.m.]

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. PR-102]

PART 310—INSPECTION AND COPYING OF BOARD OPINIONS, ORDERS, AND RECORDS

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of June 1967.

The Freedom of Information Act, Public Law 90-23, 5 U.S.C. 552(a) (2), (3), (4), requires that the Board make available for inspection and copying (or sale) all final orders and opinions (including dissenting and concurring opinions), statements of policy and interpretations not published in the FEDERAL REGISTER, administrative staff manuals and instructions to staff that affect a member of the public, a public index to the above, identifiable Board records as requested, and records of the final votes of each Board member in every Board proceeding. Part 310 contains provisions providing how, where, and in what manner requests to inspect or copy Board materials and records shall be made, and how denials of such requests shall be appealed within the Board. Two appendices to Part 310 catalog, but do not purport to describe completely, those Board records which are available to the public, and those which are exempted by the Act from public availability.

In response to a notice issued on February 10, 1967 by the Board's Secretary inviting comments, views, or suggestions on any facets of the freedom of Information Act which the Board should consider in designing its procedures of compliance, several comments from the pub-

lic were submitted. These have been considered by the Board in establishing Part 310.

Since this regulation is a rule of agency practice and procedure, notice and public procedure hereon are not required. The Board finds that the rule should be made effective July 4, 1967, in order that the Board may be in full compliance with the Freedom of Information Act on its effective date.

Accordingly, the Board hereby adopts a new Part 310 of its Procedural Regulations, 14 CFR Part 310, effective July 4, 1967, to read as follows:

Sec.	Purpose.
310.1	Purpose.
310.2	Records available.
310.3	Exempted records.
310.4	Time and place where records may be inspected or copied.
310.5	Fees for copying.
310.6	Procedure for requesting records.
310.7	Production of Board records.
310.8	Use of records.
310.9	Refusal to make record available.
Appendix A—Description and Location of Records Generally Available.	
Appendix B—Types of Records Generally Excluded From Availability.	

AUTHORITY: The provisions of this Part 310 issued under sec. 204(a), Federal Aviation Act of 1958, 72 Stat. 743; 49 U.S.C. 1324; Freedom of Information Act, 81 Stat. 54; 5 U.S.C. 552.

§ 310.1 Purpose.

This regulation is published pursuant to Public Law 90-23, sections (a) (2), (3), (4), 5 U.S.C. 522(a) (2), (3), (4), and describes the manner in which Board opinions, orders, and records shall be available for public inspection and copying in order both to provide for proper public access to the Board's records and to safeguard those records which must be protected.

§ 310.2 Records available.

(a) As used herein, Board "records" include all opinions, orders, manuals, papers, maps, files, letters, memoranda, studies, reports, information, or other documentary materials in being and in possession of the Board which have come into the possession of the Board in the discharge of its official duties, other than documentary materials which are possessed by the Board but which are records of another Government agency. Not included within Board "records" are articles; objects; equipment; and other nondocumentary materials.

(b) For the guidance and convenience of the public, a list is attached to this part designated Appendix A, which describes various records which are available for inspection and copying. Records which do not fall within one of the described categories nevertheless may be open to inspection and copying. Conversely a record listed in Appendix A to

¹ Our action herein is also dispositive of and closes Docket 18379, the petition from the Post Office Department initiating the instant rule making proceeding.

this part may be withheld from general inspection and copying because all or part of it may be an exempted record. By way of example, Board records otherwise normally available may be exempted where they consist of docket materials withheld from public disclosure under § 302.39 of the Board's Procedural Regulations in this chapter, certain carrier reports received on a confidential basis, or Minutes of the Board relating to exempted personnel and classified matters. Exempted records are described in § 310.3.

(c) Members of the public may also consult the Board's "List of Publications", obtainable from the Board's Publications Section, which describes a number of Board documents for which copies are available for a fee or without charge. The documents listed therein may also be inspected without charge upon request made at the Board's Public Reference Room.

§ 310.3 Exempted records.

(a) As used herein, "exempted records" include those Board records which, pursuant to 5 U.S.C. 552(b) or other applicable law or regulation, are not required to be made available generally for inspection or copying.

(b) Appendix B to this part lists various kinds of records and materials which are "exempted records", and therefore not available for inspection and copying. Appendix B is for the convenience and guidance of the public and is not an exhaustive listing; other records not listed therein may be subject to withholding as "exempted records".

§ 310.4 Time and place where records may be inspected or copied.

(a) Records may be inspected and copied at the Board's Public Reference Room or other offices, Universal Building, 1825 Connecticut Avenue N.W., Washington, D.C., during the Board's normal business hours, 8:30 a.m., to 5 p.m., local time, Monday through Friday, excluding legal holidays, unless the Board's business hours are otherwise provided by statute or Executive order.

(b) "Public Reference Room" is the principal Board facility where requests for records shall be made and where records may be viewed or copied, and where other reference materials, such as the Board's regulations, the CAB Manual, Board Orders, Decisions of the Hearing Examiners, statements of policy and interpretations of general applicability, certain carrier financial reports, the Public Index to Board materials, lists of Board publications, and a list of forms used by the Board in dealing with the public are available for inspection.

§ 310.5 Fees for copying.

Appropriate fees for copying Board records (including handling) are prescribed in Part 389 of this chapter.

§ 310.6 Procedure for requesting records.

(a) A request to inspect or copy, or have copied, the Board's records described in Appendix A to this part may

be made in person, by telephone, or in writing. Where a specific office is noted after the listing of a record in Appendix A to this part, the request shall be directed to that office. All other requests shall be directed to the Public Reference Room.

(b) Requests for records shall be specific and must identify the specific records or materials which are desired by name, date, number, or other identifying data sufficient to allow the Board's staff to locate, retrieve, prepare, and when necessary, edit the record for inspection or copying to delete exempted matter. Blanket or generalized requests need not be honored, and may be returned to the person making the request.

§ 310.7 Production of Board records.

Every effort will be made to serve requests with reasonable dispatch. Request for the same record will be filled on a "first come, first served" basis, but use of a document by the Board or its staff will be given precedence.

§ 310.8 Use of records.

(a) When a record is produced for the inspection of the requester, he will be informed where he may view the record. If a person requesting a record cannot view it at the Board's offices during normal business hours, he may ask to have the record copied and mailed to him, for which he will be charged the appropriate fee.

(b) Any record which is available for inspection at the Board may be copied. Copy work will be done for a charge by the Public Reference Room, Records Reference Section, Office of the Secretary, or, in appropriate cases, by a person holding a contract with the Board for the performance of such service. Self-service, coin-operated copy machines are also available in the Public Reference Room.

(c) Records must be returned to the Board unit making them available. Under no circumstances may records be removed from the Board. Failure to adhere to the applicable Board regulations, or to maintain proper conduct, may result in denial of any further access to Board records. The public is reminded of Title 18, United States Code, section 2701(a), which makes it a crime to con-

ceal, remove, mutilate, obliterate, or destroy any record filed in any public office, or to attempt to do any of the foregoing.

§ 310.9 Refusal to make record available.

(a) Where the material requested is currently in use by another member of the public or an employee of the Board, the person making the request will be so informed by the office at which the request was made, and will be advised when the material will be available. The request may then be renewed at a later time.

(b) Where the material requested is not a record, is an exempted record, or is otherwise unavailable, the person making the request will be so informed by the office at which the request was made.

(c) Not more than 7 days after a request for a record is denied pursuant to paragraph (b) of this section, the person making the request may appeal the denial to the Executive Director, who has been delegated authority by the Chairman to make determinations on such appeals. The appeal shall be by letter, and shall identify the material requested and denied in the same manner as it was identified to the Board office receiving and denying the request; shall indicate the dates of the request and denial; and shall indicate the expressed basis for the denial. In addition, the letter of appeal shall state briefly and succinctly the reasons why the record should be made available.

(d) The Executive Director may consult with other members of the staff in making his determination, and shall by letter inform the requester, within 7 business days after receipt of the appeal, whether the requested material will be made available in whole or in part. If the request is denied in whole or in part, the basis for denial will be stated.

(e) Upon denial of a request for a Board record by the Executive Director, the person making the request may submit a petition for review pursuant to § 385.50 of this chapter. Proceedings thereafter will be governed by Part 385, Subpart C, of this chapter.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

APPENDIX A

DESCRIPTION AND LOCATION OF RECORDS GENERALLY AVAILABLE

(NOTE: Any item may be withheld from disclosure if exempted, whether or not the item is listed herein.)

Agreements Filed Under Section 412 of Federal Aviation Act: Copies of, and Filings and Records in Connection Therewith.	Bureau of Operating Rights, Agreements Division.
Air Freight Forwarder Applications and Operating Authorizations, and Filings in Connection Therewith.	Bureau of Operating Rights, Supplementary Services Division.
Aircraft Lease or Purchase Transactions Under Part 299, Economic Regulations: Filings in Connection With.	Bureau of Operating Rights, Agreements Division.
Civil Aeronautics Board Manual: Instructions to Staff and Index Thereof.	Office of Secretary, Public Reference Room.
Certifications of Secretary of the Civil Aeronautics Board.	Office of Secretary, Minutes Section. (Request to be made to Public Reference Room.)
Charters: Requests for Waivers of Board Regulations.	Bureau of Operating Rights, Supplementary Services Division.

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 Contracts Awarded.
 Correspondence Relating to Items Listed in Office of Assistant Executive Director for Operations, Communications and Records Section, and in the Various Board Offices. (Requests should be made to the Office of Secretary, Public Reference Room.)
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 Applications Sent to President Under Section 801 of Federal Aviation Act: Card Record of.
 Docket Binders: Containing Material of Record in Docketed Proceedings, and Correspondence in Connection Therewith.
 Docket Indexes Which List: By Docket Numbers, the Filings in Each Docket and Board Issuances in Same.
 By Name of Applicant or Petitioner, Each Applicant, Petition, etc., Bearing a New Docket Number.
 By Name of City, Applications for Service to Said City and the Disposition Thereof.
 By Name of Carrier and by Docket Number, a Description of Pending Applications.
 Documents Served by Docket Section: Daily Record of.
 Oral Arguments: List of, by Date Order.
 Parties to Individual Docketed Proceedings: Lists of, With Addresses.
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Office of Secretary, Schedules and Route Information Unit.
 Bureau of Operating Rights, Supplementary Services Division.
 Office of Assistant Executive Director for Operations, Publications Section.
 Bureau of Operating Rights, Supplementary Services Division.
 Office of Comptroller.
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 Mileage Records: Official Board Records of Milesages.
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 Opinions of General Counsel.....
 Orders and Opinions of the Civil Aeronautics Board:
 Copies of, Including Published Bound Volumes "Civil Aeronautics Board Reports."
 Index of, by Subject, Summarizing Action Taken.
 Index-Digest of Opinions and Precedential Orders, and Citation File.
 Weekly Summaries of Orders.....
 Policy Statements of the Civil Aeronautics Board and Index Thereof.
 Public Index.....
 Published Board Documents.....
 Regulations of the Civil Aeronautics Board and Indexes Thereof: Economic, Procedural, Special, and Organization.
 Reports of Carriers and Related Material:
 Air Carrier Form 41 and 242 Financial and Operational Reports.
 Air Carrier "On Time" Reports (Form 438).
 Air Carrier Form 2787 Reports of Domestic Passenger Origin-Destination Surveys.
 Air Freight Forwarder Reports (Form 244).
 Air Taxi Operator Reports Required by Various Board Orders.
 Carrier Accounting Plans of Specified Accounting and Statistical Procedures Required To Be Filled by Carriers Under Part 241, Economic Regulations.
 Carrier Officers and Directors Reports (Form 2786) of Ownership of Stock and Other Interests.
 Extensions of Time for Report Filing.....
 Foreign Indirect Air Carrier Reports.....
 Freight Traffic and Revenue in Blocked Space Markets.
 Freight Traffic and Revenues, in Puerto Rico Market (Form T-84).
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 MAC Charter Reports.
 Manuals of Air Carrier Accounts and Reporting Instructions Prescribed by the Board.
 National Air Carrier Association, Form 492
 Reports of Commercial Charter Exchange Activity, Membership Roster, and Flight Data. (Schedules A, B, and C, of Form 492).
 Public Accountants Reports and Reconciliation With Form 41 Reports.
 Standard Practice Letters Prescribing Standard Accounting and Reporting Procedures, Supplemental to the Uniform System of Accounts and Reports.
 Waivers of Accounting and Reporting Requirements and Record Retention.
 Route and Service Authorizations.
 "Book of Official CAB Airline Route Maps and Airport to Airport Mileages" (Publications).
 Certificates of Public Convenience and Necessity.
 Foreign Air Carrier Permits.
 Historic and Current Records and Indexes of Points Served, Airports, Dates of Service Insurgation, Service Deletions, Suspensions and Restorations and Board Actions Affecting Carrier Service Authorizations.
 Statements of Authorization for Off-Route Charter Trips by Foreign Air Carriers (Part 212, Economic Regulations): Copies of Applications for Filings in Connection Therewith and Copies of the Authorizations.
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 Concurrences (Issued by Carriers to Tariff Publishing Carriers).
 Correspondence With Carriers or Agents Requesting Correction of Part 221 Violations in Tariffs.
 Free or Reduced Rate Transportation.
 Access to Aircraft or Free Transportation: Requests for, on U.S. Government Form 169.
 Application for, Under § 223.8 of Economic Regulations.
 Carrier Manuals Containing Instructions, Rules, Regulations, and Practices Governing Issuances and Interchange of Passes.
 Reports by Carriers of Free Transportation of Technical Representatives of Aircraft Manufacturers (§ 223.2 (c) and (d) of Economic Regulations).
 Postponed Board Actions, Notices of, on Tariffs Filed on 45 Days Notice and Not Acted Upon by Board 15 Days Prior to Effective Date.
 Rejection Notices.
 Special Tariff Permissions.
 Tariffs and Tariff Transmittal Letters.
 Tariff Embargo Notices.
 Trade Agreements Filed Under Part 235, Economic Regulations.
 Waivers From Part 221, Economic Regulations.
 Trade Association Manuals.
 Unpublished Statistical Compilations.
 Air Freight Forwarder Statistics: Compiled From CAB Form 244 Semiannually.
 Air Carrier Route Miles Statistics: Quarterly Compilations.
 Financial Results of Scheduled All-Cargo Operations: Semiannual Compilation.
 Interim Monthly Financial Reports of Air Carriers: Selective Summarization of Income Factors.
 Interim Quarterly Financial Reports of Air Carriers: Selective Summarization of Balance Sheet Factors, First Three Quarters.
 Supplemental Air Carrier Statistics: Quarterly Report of Traffic and Financial Data.
 Votes of Board Members.
 Final Votes of Board Members in CAB Proceedings.

Bureau of Operating Rights, Agreements Division.

Bureau of Accounts and Statistics, Statistical Reports Section.

Do.

Do.

Office of Secretary, Public Reference Room.

Do.

Bureau of Accounts and Statistics, Statistical Reports Section.

Office of Secretary, Minutes Section. (Request to be made to Public Reference Room.)

APPENDIX B

TYPES OF RECORDS GENERALLY EXCLUDED FROM AVAILABILITY

The following list contains by way of example those records which are "exempted records" under this part. The examples of exempted records are listed according to the applicable subsections of 5 U.S.C. 1002(e).

(1) Documents classified pursuant to Executive Order No. 10501. Classified Board Minutes and classified exhibits in formal proceedings.

(2) Personnel rules and practices. Files pertaining to the Board's personnel.

Technical manuals and instructions pertaining to the Board's audit of carrier accounts.

(3) Material exempted by statute. Matter which heretofore has been exempt from public disclosure under sections 902(f) and 1104 of the Federal Aviation Act, or by specific Board order will continue to be exempt. Such matters include carrier audit papers and correspondence relating thereto, and matters on which the Board has granted a motion for nondisclosure pursuant to § 302.39 of its rules of practice.

(4) Trade secrets and commercial or financial information. Past or future matter submitted to the Board in confidence but for which no formal request under § 302.39 of the Board's rules of practice has been made and granted will be held in confidence by the Board to the extent deemed allowable. No assurance of withholding material is implied by this, however, and affected persons should formally request withholding under § 302.39 where they deem it necessary to protect their interests.

Examples of confidential matters under this subsection include carrier accounting manuals, certain origin and destination data, MAC rate information submitted in advance of MAC rate proceedings, materials related to informal subsidy conferences, certain conference materials and traffic statistics submitted by IATA, and air carrier or ATA letters, information, or views used in developing U.S. positions in international aviation matters.

(5) Inter/intra-agency memoranda. Board Minutes involving items which are pending and Minutes not approved.

Reference or supporting material keyed to the Board Minutes.

Copies of CAB decisions awaiting Presidential action.

Notation, Calendar, and For Information Memoranda.

Budget, Management, Program Evaluation, Records Disposal, Research, Planning, and Program files.

Internal memoranda on the Administrative Conference of the United States.

Files regarding Board requisitions, equipment and space.

Memoranda regarding Interagency Committees.

Intergovernmental communications on Loan Guarantee matters.

Staff analyses not published by the Board.

Research and legislative reference files of the General Counsel.

Memoranda and studies regarding Board positions in international aviation matters.

Developmental files, research materials, and workpapers.

(6) Invasion of personal privacy. Correspondence and inquiries regarding Board personnel.

Individual personnel files and records.

(7) Law enforcement investigatory files. Files of the Bureau of Enforcement or other bureaus regarding alleged violations of the Federal Aviation Act; e.g., (a) formal and informal case files, (b) consumer complaint files which would disclose the identity of

private complainants, (c) civil complaint files involving cases resulting in nonmonetary penalties, and (d) correspondence regarding complaints or alleged violations of the Federal Aviation Act not otherwise filed.

[F.R. Doc. 67-6895; Filed, June 20, 1967; 8:45 a.m.]

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. OR-20]

PART 384—STATEMENT OF ORGANIZATION, DELEGATION OF AUTHORITY, AND AVAILABILITY OF RECORDS AND INFORMATION

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of June 1967.

The Freedom of Information Act, Public Law 90-23, 5 U.S.C. 552(a)(1), requires that the Board publish in the FEDERAL REGISTER a description of its organization and functions, statements of the general course and methods by which its functions are channeled and determined, and descriptions of forms available or the places at which forms may be obtained. Part 384 is a general statement of the Board's functions and organization, with cross references to more detailed organizational descriptions in the public CAB Manual, the delegations of authority in Part 385 of this subchapter, and the provisions in Part 310 of this chapter, adopted concurrently herewith, pertaining to the availability for inspection and copying of Board material and records. Part 384 also describes the places at which forms used by the Board in dealing with the public may be obtained.

Since this is a rule of agency organization and procedure, notice and public procedure hereon are not required. The Board finds that the rule should be made effective July 4, 1967, in order that the Board may be in full compliance with the Freedom of Information Act on its effective date.

In consideration of the foregoing, the Civil Aeronautics Board hereby enacts new Part 384 of the Organization Regulations (14 CFR Part 384) effective July 4, 1967, to read as follows:

- Sec.
- 384.1 Purpose.
- 384.2 General statement of the Board's functions.
- 384.3 Persons and rules utilized by the Board.
- 384.4 Offices.
- 384.5 Public hearings.
- 384.6 Formal submissions.
- 384.7 Organization and delegation of authority.
- 384.8 Availability of information and materials.

AUTHORITY: The provisions of this Part 384 issued under sec. 204(a), Federal Aviation Act of 1958, 72 Stat. 743; 49 U.S.C. 1324; Freedom of Information Act, 5 U.S.C. 552, 81 Stat. 54.

§ 384.1 Purpose.

This part, together with Parts 385 and 310 of this chapter, is published in compliance with Public Law 90-23, section (a)(1), 5 U.S.C. 552(a)(1), and consti-

tutes a general description of the Civil Aeronautics Board. More detailed information is available in Parts 385 and 310 of this chapter and from other sources listed herein.

§ 384.2 General statement of the Board's functions.

In general, the Board's functions center around the promotion and regulation of domestic and international U.S. air carrier operations and the operations of foreign air carriers to and from the United States. The Board's role in these matters is economic, legal, and advisory, whereas the physical and safety aspects of aeronautics are the responsibility of the Department of Transportation and the National Transportation Safety Board. The Civil Aeronautics Board is responsible for granting authorizations to carriers by air to engage in interstate, overseas, and foreign transportation. It issues certificates to domestic air carriers authorizing them to engage in transportation by air within the United States and between the United States and foreign countries, and permits to foreign air carriers for operations to and from the United States. It also authorizes the flight of foreign civil aircraft in the United States for other purposes. The Board is the repository of the tariffs filed by the air carriers, and is responsible for supervising the rates and fares charged the public for air transportation; it establishes rates for the carriage of mail by air carriers; and it authorizes and pays subsidy to certain air carriers where required for the development of an adequate air transportation system. The Board passes on mergers, acquisitions of control, interlocking relationships, agreements, and cooperative working arrangements between air carriers, and between air carriers and other aeronautical enterprises. It has jurisdiction over unfair competitive practices of air carriers and ticket agents selling air transportation, and is responsible for the enforcement of applicable laws and regulations. Additionally, the Board regulates accounting practices of air carriers, and requires them to file regular financial and operating reports with the Board. The Board also consults with and assists the Department of State in the negotiation of agreements with foreign governments for the establishment or development of air routes and services.

§ 384.3 Persons and rules utilized by the Board.

In carrying out its functions, the Civil Aeronautics Board utilizes:

(a) The Board's staff, which consists of various specialized bureaus and offices, each dealing with a particular area involving air transportation and performing administrative and technical work for the Board, advising the Board, and performing duties for the Board inherent in its position in the organizational structure or which the Board has delegated to it. The staff is described more fully in § 384.7.

(b) Published rules, which are published in the FEDERAL REGISTER and codi-

filed in this Title 14 of the Code of Federal Regulations. These rules may be inspected in the Board's Public Reference Room, or purchased from the Superintendent of Documents, Government Printing Office. The published rules include:

(1) Procedural Regulations which govern the formal and informal methods whereby persons dealing with the Board can present information to the Board to enable the Board to make the decisions for which it is responsible under the Federal Aviation Act of 1958 (49 U.S.C. 1301 et seq.).

(2) Substantive Economic Regulations, which prescribe to those within the Board's jurisdiction various substantive and procedural requirements relating to specific areas of air carrier operations.

(3) Statements of Policy, in which the Board announces a trend it will develop or a future course of action it will follow in a particular area of decision; this policy is then used as a guide in deciding specific cases which reach the Board.

(4) Special Regulations, which deal with matters, and prescribe duties and conduct for both air carriers and Board employees, which do not fall within the other Board regulations.

(5) Organization Regulations, delegating matters to the Board's staff and describing how the public may deal with the Board in obtaining information.

§ 384.4 Offices.

The central offices of the Civil Aeronautics Board are located in the Universal Building, 1825 Connecticut Avenue NW., Washington, D.C. Its mailing address is Civil Aeronautics Board, Washington, D.C. 20428. The Board's Bureau of Accounts and Statistics maintains field offices in New York City and San Mateo, Calif. The hours of business for Board offices are 8:30 a.m., to 5 p.m., local time, Monday through Friday, excluding legal holidays, unless otherwise provided by statute or Executive order.

§ 384.5 Public hearings.

Public hearings and oral arguments before the Board on applications and petitions in economic proceedings are held at the time and place announced in the notice thereof which is served on the parties to the proceedings and published in the FEDERAL REGISTER.

§ 384.6 Formal submissions.

All formal submissions required or permitted to be made in economic proceedings should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428, unless specifically provided otherwise in the provision requiring or permitting such submission. Requirements as to the form and content of such submissions are set forth in the Board's Procedural Regulations in this chapter of this Title 14 of the Code of Federal Regulations. Other instructions concerning the use of forms, and the scope or content of material required or permitted to be filed or maintained are set forth in the Board's Economic, Special, and Procedural Regulations, and its

Policy Statements, in this chapter of this Title 14 of the Code of Federal Regulations. If the form of any document required or permitted to be filed is not prescribed, such document shall be in letter form. Any other request of the Board of any kind shall be directed to the Secretary.

§ 384.7 Organization and delegation of authority.

The five Board Members, one of whom is the Chairman and presiding officer, act to carry out the duties and responsibilities of the Civil Aeronautics Board under the Federal Aviation Act. The Board's staff is divided into several bureaus and offices, which are generally described below. A detailed description of the Board and its components is published in sections 110-195 of the CAB Manual, which is available for inspection and copying in the Public Reference Room at the Board's offices. The various delegations of authority from the Board to the different staff components are described in detail in this Title 14 of the Code of Federal Regulations, Part 385 of this chapter. Generally speaking, the Board's staff comprises:

(a) The Office of the Executive Director, which assists the Chairman in the discharge of his functions as executive and administrative head of the agency; coordinates and directs the activities of the staff; and recommends and develops plans to achieve the Board's program objectives. Within the Office of the Executive Director are:

(1) The Office of Information, which is responsible for keeping the public and the air transport industry advised of major actions of the Board, and for serving as the primary channel through which inquiries from the public, the press, or the industry are answered.

(2) The Office of Community and Congressional Relations, which represents the Board in dealing with representatives of State and local communities and civic groups; identifies community interests and develops recommendations of Board policies and actions relating thereto; and maintains liaison between the Board and Congress.

(3) The Administrative Offices, under the Assistant Executive Director for Operations, which deal with personnel and security, management, finance, payroll, budgetary matters, and supplies and facilities. A Publications Section within these offices distributes the public documents issued by the Board.

(b) The Office of the Secretary, which is responsible for the receipt, maintenance, and service of docket material; recording and indexing of formal Board actions; processing of all documents evidencing such action; maintenance of air carrier flight schedules, official mileage records, and records of air carrier operating authorities; and authenticating Board records for any official purposes. Pursuant to the Federal Aviation Act of 1958, the Secretary has legal custody of records and documents as specified therein.

(c) The Bureau of Operating Rights, which is the Board component involved

principally in the licensing of air carriers and the maintenance of proper competitive conditions among air carriers. Matters involving certificates, permits, mergers, and exemptions for scheduled, supplemental, foreign, helicopter, and all-cargo air carriers, freight forwarders, and air taxi operators are handled by the Bureau of Operating Rights.

(d) The Bureau of Economics, which is the ratemaking and economic research and forecasting component of the Board. Staff work on commercial passenger, baggage, and freight rates; service mail rates; subsidy rates; and military charter rates; and ascertainment and evaluation of economic data and trends affecting commercial air transportation are the roles of this Bureau.

(e) The Bureau of Accounts and Statistics, which is responsible for developing and administering a fact-finding facility adequate to support the Board's economic regulatory program. This Bureau is concerned with developing and administering uniform systems of carrier accounts and reports; preparing accounting and statistical data for release in the Board's official publications; administering and operating the Board's automatic data processing facilities; and generally operating as the Board's expert arm in accounting and statistical matters.

(f) The Bureau of Enforcement, which is responsible for the development and execution of programs to obtain compliance with the provisions of the Federal Aviation Act of 1958 and of the regulations, orders, and other requirements promulgated by the Board. Both formal and informal investigations of alleged or suspected violations of the Act and the Board's regulations are conducted on the Bureau's own initiative, or on the basis of formal or informal complaints received from the industry, the public, the Congress, or other Government agencies.

(g) The Bureau of International Affairs, which advises the Board on the formulation of positions to be taken by the United States on matters involving international air transport matters; serves as liaison between the Board and the Department of State and the Interagency Group or International Aviation; and provides representation in connection with international conferences and negotiations or discussions with foreign countries on air transport matters.

(h) The Bureau of Hearing Examiners, which provides hearing examiners for the conduct of all formal proceedings under Titles IV and X of the Federal Aviation Act, including those for issuance of certificates of public convenience and necessity concerning both domestic and foreign operations, and issuance of foreign air carrier permits; mail, property, and passenger rate cases; mergers, acquisition of control, and interlocking relationships; and economic enforcement cases.

(i) The Office of the General Counsel, which is responsible for advising the Board, its staff, industry representatives, and the public on legal aspects of the Board's regulatory activities; represent-

ing the Board in litigated matters; assisting attorneys in other offices and bureaus as required; representing the Board in negotiations and at conferences where legal matters are involved; and representing the Board on Government committees and committees of international organizations.

§ 384.8 Availability of information and materials.

The Board publishes a regulation in Part 310 of its Procedural Regulations in this chapter concerning the availability for inspection and copying of Board orders, opinions, and records. That regulation states in detail what information is available at the Board, and what records may be inspected, and discusses the use of the Board's Public Reference Room. Generally speaking:

(a) The Board maintains a Public Reference Room in which are kept copies of Board opinions (including concurring and dissenting opinions), orders, regulations, rules of practice, statements of policy, and interpretations of general applicability, the Public Index to Board materials, the CAB Manual, certain financial reports and data filed by air carriers, and copying facilities. The records of the proceedings in formal cases are kept in the Board's Docket Section. The Board's Library maintains legal reference books, regulatory commission reports, texts, and treaties on air transport and other transport economics, and a wide variety of other books and publications concerning civil air transport and related fields.

(b) The regulations, policy statements, and rules of practice of the Board are published in this Title 14 of the Code of Federal Regulations. They may also be inspected and copied in the Board's Public Reference Room, or purchased from the Superintendent of Documents, Government Printing Office.

(c) The CAB Manual is a book of rules and instructions to the Board's staff on how to deal with various matters involving the Board's business with the public. It also contains a detailed description of the Board's organization and the responsibilities of each staff component. The CAB Manual may be inspected and copied in the Board's Public Reference Room.

(d) The Publications Section periodically prepares a list of Board documents and publications which have been duplicated and are available to the public. Items offered for sale are available from the Superintendent of Documents, Government Printing Office, or other indicated sources on payment of a charge therefor. A list of available publications and free single copy items is available from the Publications Section upon request. The weekly "Notice of Applications or Amendments Thereto" and certain other publications are available to persons submitting written request therefor and payment of any prescribed fees to the Publications Section.

(e) A list of forms (described and identified by number) which the Board uses in dealing with the public is available in the Board's Public Reference Room. Both

the list of forms, which is subject to change and is therefore not published herein, and the forms themselves are available from the Board's Publications Section.

(f) Various other materials and records are available at specific offices within the Board as specified in Part 310 of this chapter.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[P.R. Doc. 67-6897; Filed, June 20, 1967;
8:45 a.m.]

[Reg. OR-19]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION; NONHEARING MATTERS

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of June 1967.

This part has heretofore contained only delegations of authority made by the Board to the staff pursuant to Reorganization Plan No. 3 of 1961 (26 F.R. 5989). The Board is hereby revising and amending it for the purpose of incorporating therein various delegations pursuant to sections 202(a) and 204(a) of the Federal Aviation Act governing actions of routine character. A new delegation authorizes the Executive Director to receive and act upon appeals by the public from staff denials of access to Board records under Part 310 of this chapter.

The principal effect of the revision is to permit a staff member to take, when necessary, immediate action under delegated authority with respect to matters which are governed by prior Board precedent and policy and to specify that the filing of a petition for review with the Board shall not preclude the action from becoming effective. A timely petition for review with respect to such an action which is not received by the Board or acted upon before the effective date of the action will be entertained and disposed of on its merits as a petition for reconsideration.

Since the amendments contained in this revision are not substantive rules but rules of agency organization and procedure, notice and public procedure hereon are not required, and the amendments may be made effective immediately.

In consideration of the foregoing, the Civil Aeronautics Board hereby revises Part 385 of the Organization Regulations (14 CFR Part 385) as follows, effective June 21, 1967:

Subpart A—General Provisions

- Sec. 385.1 Definitions.
- 385.2 Applicability.
- 385.3 Scope of staff action.
- 385.4 Form of staff action.
- 385.5 Procedures prescribed in other regulations.
- 385.6 Referral to the Board.
- 385.7 Exercise of authority by superiors or the Board.

- Sec. 385.8 Exercise of authority in "acting" capacity and redelegation.
- 385.9 Effective date of delegations and procedures.

Subpart B—Delegation of Functions to Staff Members

- 385.10 Delegation to Chief Hearing Examiner, Bureau of Hearing Examiners.
- 385.11 Delegation to the Hearing Examiners, Bureau of Hearing Examiners.
- 385.12 Delegation to the Executive Director.
- 385.13 Delegation to the Director, Bureau of Operating Rights.
- 385.14 Delegation to the Chief, Rates Division, Bureau of Economics.
- 385.15 Delegation to the Chief, Tariffs Section, Rates Division, Bureau of Economics.
- 385.16 Delegation to the Chief, Local Service Division, Bureau of Economics.
- 385.17 Delegation to the Director, Bureau of Accounts and Statistics.
- 385.18 Delegation to the Chief, Regulations and Reports Division, Bureau of Accounts and Statistics.
- 385.19 Delegation to the General Counsel.
- 385.20 Delegation to Associate General Counsel, Rules and Rates Division.
- 385.21 Delegation to Associate General Counsel, Routes Division.
- 385.22 Delegation to the Director, Bureau of Enforcement.

Subpart C—Procedure on Review of Staff Action

- 385.50 Persons who may petition for review.
- 385.51 Petitions for review.
- 385.52 Effective date of staff action.
- 385.53 Review by the staff.
- 385.54 Decision by the Board.

AUTHORITY: The provisions of this Part 385 issued under sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 1001, 72 Stat. 788; 49 U.S.C. 1481; Reorganization Plan No. 3 of 1961, 26 F.R. 5989.

Subpart A—General Provisions

§ 385.1 Definitions.

"Board" means the Civil Aeronautics Board.

"Petition for review" means a petition asking the Board to exercise its discretionary right of review of staff action.

"Staff action" means the exercise of a function of the Board by a staff member pursuant to delegation under this part.

"Staff members" means officers and employees of the Board who receive delegated authority under this part.

§ 385.2 Applicability.

This part describes the organization of the Board insofar as it, pursuant to authority conferred on it by sections 202(a) and 204(a) of the Federal Aviation Act and Reorganization Plan No. 3 of 1961, 26 F.R. 5989, the Board has delegated any of its functions of making orders or other determinations which are not required to be made on an evidentiary record upon notice and hearing or which are not the subject of contest, and the Chairman has assigned Board personnel to perform such functions. This part also sets forth the procedures governing discretionary review by the Board of action taken under such delegations.

§ 385.3 Scope of staff action.

Applications for relief which, pursuant to this part, may be granted by staff members under delegated authority,

and proceedings on such requests shall be governed by applicable rules in the same manner as if no delegation had been made (see § 385.5). In such proceedings, each staff member may determine any procedural matters which may arise, including, *inter alia*, service of documents on additional persons; filing of otherwise unauthorized documents; waivers of procedural requirements; requests for hearing; requests for additional information; dismissal of applications upon the applicant's request, moot applications, or incomplete or otherwise defective applications; and extensions of time. Such determinations, except those which would terminate the matter, shall be subject to review only in connection with Board review of the staff member's decision on the merits. The dismissal of incomplete or otherwise defective applications under authority set forth in this part shall be without prejudice except where under otherwise applicable law the time for making application has run out or where the defect is not corrected within a reasonable time fixed by the staff member. Under the authority delegated to the staff as set forth in this part to approve, disapprove, grant, or deny, relief may be granted or denied in part and grants may be made subject to lawful and reasonable conditions. Moreover, where applicable, the authority to grant relief also includes authority to renew or extend an existing authorization.

§ 385.4 Form of staff action.

Unless otherwise specified in the delegation, staff action shall be by order or informal writing (letters, telegrams, decision marked on copy of application form, etc.). Such orders or informal writings shall contain a recital that action is taken pursuant to delegation, shall, in cases where there are "parties or interveners," or where there may be an adverse effect upon a person with a substantial interest, contain a brief reference to the right of aggrieved parties to petition the Board for review pursuant to applicable procedural rules, including a statement of the time within which petitions must be filed (§ 385.51); shall state whether the filing of a petition shall preclude the action from becoming effective; and shall be in the name of the person exercising the delegated function. They shall contain all findings, determinations and conclusions which would be required or appropriate if they were issued by the Board. Upon request, the Secretary shall attest as Board action orders or informal writings issued pursuant to this part which have become the action of the Board (§ 385.52).

§ 385.5 Procedures prescribed in other regulations.

Procedures set forth in this part shall not supersede procedures applicable to matters on which decision has been delegated unless otherwise specifically provided herein: *Provided, however*, That any provisions in other regulations which provide for reconsideration of nonhearing determinations made by the

Board shall not be applicable to decisions made under authority delegated herein or to Board decisions made upon review thereof.

§ 385.6 Referral to the Board.

When the staff member finds that the public interest so requires, or that, with respect to other than matters requiring immediate action as hereafter specified, there will be insufficient time for discretionary Board review of his decision upon petition, he shall, in lieu of exercising the delegated authority, submit the matter to the Board for decision. In any case in which the staff member finds that immediate action is required with respect to any matter delegated herein, the disposition of which is governed by prior Board precedent and policy, the staff member may take appropriate action and specify that the filing of a petition for review shall not preclude such action from becoming effective.

§ 385.7 Exercise of authority by superiors or the Board.

Any delegation of authority to a staff member below the rank of Bureau or Office Head shall also be deemed to be made, severally, to each of such staff member's superiors in the respective Bureau or Office. In accordance with the Board's principle of management responsibility in the Bureau or Office Head, the superior may choose to exercise the delegated power himself in any case. Moreover, the Board may at any time itself exercise any authority delegated herein.

§ 385.8 Exercise of authority in "acting" capacity and redelegation.

Unless the delegation provides otherwise, staff members serving in an "acting" capacity may exercise the authority delegated to the staff members for whom they are acting and staff members to whom authority is delegated may redelegate such authority to members of their staffs.

§ 385.9 Effective date of delegations and procedures.

The delegations and procedures set forth in this part shall be effective upon publication in the FEDERAL REGISTER.

Subpart B—Delegation of Functions to Staff Members

§ 385.10 Delegation to Chief Hearing Examiner, Bureau of Hearing Examiners.

The Board hereby delegates to the Chief Examiner, Bureau of Hearing Examiners, the authority to:

(a) Consolidate, upon recommendation of the Director, Bureau of Economics (or such staff member of the Bureau of Economics as he may designate), into one proceeding cases involving the investigation of a tariff or of complaints concerned with related tariffs.

(b) With respect to matters to be decided after notice and hearing: (1) Dismiss applications or complaints (except those falling under Subpart B of Part 302 of this chapter (Procedural Regula-

tions)) when such dismissal is requested or consented to by the applicant or complainant, or where such party has failed to prosecute such application or complaint; (2) dismiss proceedings upon his finding that the proceeding has become moot or that no further basis for continuation exists; and (3) dismiss an application subject to dismissal as stale under § 302.911 of Part 302 of this chapter (Rule 911 of the rules of practice).

§ 385.11 Delegation to the Hearing Examiners, Bureau of Hearing Examiners.

The Board hereby delegates to the Hearing Examiners, Bureau of Hearing Examiners, the authority to take the following actions in matters to which they are respectively assigned:

(a) Grant or deny intervention in formal proceedings.

§ 385.12 Delegation to the Executive Director.

The Board hereby delegates to the Executive Director the authority to receive and determine appeals by the public from staff action withholding a Board record from inspection or copying, pursuant to Part 310 of this chapter.

§ 385.13 Delegation to the Director, Bureau of Operating Rights.

The Board hereby delegates to the Director, Bureau of Operating Rights, the authority to:

(a) (1) Approve or deny applications of certificated route air carriers for exemptions to serve a point certificated on one segment of its route in place of a point certificated on another segment of its route whenever no substantial competition to other lines will result, and to perform single flights outside the authority contained in the certificate. This authority may not be redelegated.

(2) Approve, when no person disclosing a substantial interest protests, or deny applications of certificated route air carriers for exemptions to perform any other operation prohibited by a term, condition or limitation in a certificate. This authority may not be redelegated.

(3) Approve or disapprove Airport Notices which indicate an intention to serve regularly a point through any airport not regularly used by a holder of a certificate of public convenience and necessity; and grant or deny requests for an effective date earlier than 30 days subsequent to filing such Airport Notice.

(b) Approve or disapprove nonstop notices which indicate an intention to inaugurate a scheduled nonstop service between any two points nonconsecutively named in the certificate of public convenience and necessity; and grant or deny requests for an effective date earlier than 20 days subsequent to the filing of such Nonstop Notice. Approval may be granted if such nonstop service is not found: (1) To be adverse to the public interest; or (2) to involve a substantial deviation from the shortest course between such points as determined by the route described in the certificate; or (3) to involve a schedule designated for the transportation of mail where the in-

auguration of such service on such dates would be prohibited pursuant to the provisions of section 405(b) of the Act.

(c) Approve or disapprove issuance of foreign aircraft permits provided for in §§ 375.41, 375.42, and 375.70 of this chapter (Special Regulations).

(d) Approve or disapprove applications for operating authority filed pursuant to Parts 296 and 297 of this chapter (Economic Regulations); and by letter to dismiss any such application provided that the applicant is given prior notice that his application will be dismissed. If, in appropriate cases he does not, within 30 days, file information necessary to complete the processing of his application, or file a tariff.

(e) Approve or deny applications for approval of relationships prohibited by §§ 296.45 and 297.36 of this chapter (Economic Regulations).

(f) Grant or deny requests by air freight forwarders for permission to deviate from the documentation requirements of § 296.70 of this chapter (Economic Regulations). Such requests will be granted upon a due showing that the record retention system of the forwarder permits ready access to information otherwise required on a manifest; that the name of the person determining rates and charges, together with the commodity rate applied, appears on the airwaybill; that the forwarder will provide copies of airwaybills to the consignor or consignee when either so requests; and that the recordkeeping operations of the forwarder otherwise comport with the policy set forth in Order E-19074 of December 7, 1962.

(g) Cancel any operating authority upon the filing by a domestic or international Air Freight Forwarder of a written notice with the Board indicating the discontinuance of common carrier activities.

(h) Approve or disapprove interchange schedules. Approvals may be granted when such schedules appear to conform to the service plan contemplated by the Board's orders approving the basic interchange agreements.

(i) Approve or deny applications for authorization to conduct off-route charter trips filed pursuant to Part 212 of this chapter (Economic Regulations).

(j) Approve or disapprove applications of certificated helicopter carriers requesting amendments of Flight Patterns operated under the carriers' area exemption authorizations.

(k) Approve or disapprove applications of air carriers or foreign air carriers for permission to do business in names other than those authorized pursuant to regulation or order of the Board.

(l) Issue revised operating authorizations and Exemption Orders when revisions thereof are made necessary due to a change in name of the carrier specified in the document: *Provided*, That no issue of substance concerning the operating authority of a carrier is involved.

(m) In respect of service patterns:
(1) Approve or disapprove all applications filed under § 202.4 of this chapter (Economic Regulations) by local service

carriers for authority to effect temporary or seasonal changes in service patterns;

(2) Approve, when no person disclosing a substantial interest protests, or disapprove such applications to effect any other changes in service patterns;

(3) Revoke, modify, or renew, prior approval of (i) temporary or seasonal changes, or (ii) in the absence of protest by third persons disclosing a substantial interest, any other changes in service patterns; and

(4) Dismiss applications for changes in service patterns when such dismissal is requested by the applicant, or when the application is moot.

(n) In respect of temporary suspension of service: (1) Approve or disapprove applications filed under Part 205 of this chapter (Economic Regulations) for authority to temporarily suspend service; (2) revoke or modify orders authorizing the temporary suspension of service; (3) dismiss applications to temporarily suspend service when such dismissal is requested by the applicant, or when such application is moot.

(o) Approve, when no person disclosing a substantial interest protests, or disapprove applications filed under § 203.2 of this chapter (Economic Regulations) by air carriers certificated to engage in foreign air transportation to a general area, for authority to effect changes in approved service plans.

(p) With respect to section 412 contracts and agreements:

(1) Approve contracts or agreements, or modifications, terminations, or cancellations thereof, filed by air carriers under section 412 of the Act, except:

(i) Those which are concerned with the establishment of rates, fares, or charges; or

(ii) Those protested by a person disclosing a substantial interest and which are concerned with (a) standardization of equipment; (b) schedules; (c) substantial limitations on competition; or (d) interchange of equipment and "Trackage rights"; or

(iii) Those protested by a person disclosing a substantial interest and which are industrywide or substantially industrywide in effect, other than those on which there are clear Board precedents, or which do not involve substantial questions of policy.

(2) Disapprove contracts or agreements, or modifications, terminations, or cancellations thereof, filed by air carriers under section 412 of the Act, except those involving the establishment of rates, fares, or charges.

(3) Terminate matters relating to contracts and agreements (except those concerning rates, fares, or charges) which, prior to review thereof, have expired, been terminated, or been superseded.

(q) With respect to interlocking relationships: (1) Grant or deny applications for approval of interlocking relationships filed under section 409(a) of the Act; (2) dismiss applications for approval of interlocking relationships where the termination of the interlocking relationship in question has been effected.

(r) With respect to consolidations, mergers, purchases, leases, operating contracts, and acquisitions of control:

(1) Grant or deny applications for exemption from section 408 of the Act; and

(2) Grant or deny pursuant to the third proviso of section 408(b) of the Act applications for approval of transactions which are found not to affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, not to result in creating a monopoly, and not to tend to restrain competition.

(s) Grant or deny an air carrier authority to conduct a specific charter operation, other than a MAC operation, in overseas or foreign air transportation, imposing such conditions as exclusion of one-way passengers or limitations on payments for labor in arranging the charter; and approve or disapprove minor changes prior to flight date in charters previously authorized by order (e.g., changes regarding flight dates, departure or landing points, aircraft, persons authorized for one-way passage, intermingling of passengers, or substituting another carrier in cases of emergency).

(t) Waive the provisions of § 377.10(c) of this chapter (Special Regulations) with respect to the time for filing applications for the renewal of temporary authorizations, so as to permit their filing within shorter periods than required by that section when, in his judgment, the public interest would be thereby served: *Provided*, That the interim extension provisions of § 377.10(d) of this chapter shall, if otherwise pertinent, apply to authorizations involved in applications filed pursuant to such waivers.

§ 385.14 Delegation to the Chief, Rates Division, Bureau of Economics.

The Board hereby delegates to the Chief, Rates Division, Bureau of Economics, the authority to:

(a) In the absence of a protest from a person disclosing a substantial interest, effect issuance of final orders with respect to International Air Transport Association (IATA) agreements filed with the Board pursuant to section 412 of the Act or pursuant to Board Order E-9305 of June 15, 1955, as follows:

(1) Disclaiming jurisdiction with respect to IATA agreements which do not affect air transportation within the policy set forth in Order E-12304, dated March 31, 1958.

(2) Disposing of IATA agreements relating to specific commodity rates as follows:

(i) Approving or disapproving agreements within an area which name additional rates under commodity descriptions for which rates are currently in effect in that area and have been approved by the Board.

(ii) Approving or disapproving agreements which readopt rates which are currently in effect and which have been approved by the Board, except where revalidation of the basic commodity rate structure is proposed.

(iii) Approving, disapproving, or approving subject to condition to insure proper tariff publication, agreements which amend commodity descriptions under which rates are currently in effect, consistent with Part 221 of this chapter (Economic Regulations).

(iv) Approving or disapproving agreements which name rates under commodity descriptions not currently in effect where the description does not conform to Part 221 of this chapter (Economic Regulations).

(v) Approving or disapproving agreements which relate to specific commodity rates under new descriptions, except where new descriptions are a part of a proposed basic commodity rate structure.

(3) Approving or disapproving amendatory agreements which do not directly affect air transportation, involving adjustment in agreed fares and rates or specification of additional fares and rates to be integrated into the previously approved overall structure.

(4) Approving or disapproving agreements reached by unprotested notice pursuant to the following creative fares resolutions: Resolution 084 (TC1, JT23), and Resolution 084a (JT31).

(5) Approving or disapproving agreements pursuant to the provisions of Resolutions 014a and 014b, which prescribe the construction rules for passenger fares and cargo rates respectively.

(6) Approving or disapproving agreements proposing delays in inaugurations.

(b) Grant or deny air carriers authority to conduct MAC charter operations in air transportation, imposing conditions, and approve or disapprove changes prior to flight in MATS charters previously authorized, such as changes regarding flight data, departure or landing points, aircraft, persons authorized for one-way passage, intermingling of passengers, or substituting another carrier in case of emergency.

(c) Upon the application of any person or upon his own initiative, change the classification of any station for purposes of the multielement service mail rate formulas applicable to the transportation of airmail and nonpriority mail whenever the total revenue tons of all traffic enplaned at the station during the most recent 12-month period bring it within a different class, according to the following schedule:

Class of stations:	Revenue tons all traffic enplaned per year
A.....	7,000 and over.
B.....	750-6,999.
C.....	60-749.
D.....	59 or less.

(d) Approve or disapprove applications requesting relief from requirements of Board orders that carriers file data relating to experience under new rates and fares.

(e) Approve or disapprove applications for permission to furnish free or reduced-rate interstate air transportation to travel agents.

(f) Issue show cause orders proposing (1) to establish service mail rates for air taxi operators, and (2) to make modifications of a technical nature in the mail rate formula applicable to temporary or final service mail rate orders.

(g) Issue final orders establishing temporary or final service mail rates in those cases where no objection has been filed following release of the show cause order, and where the rates established are the same as those proposed in the show cause order.

§ 385.15 Delegation to the Chief, Tariffs Section, Rates Division, Bureau of Economics.

The Board hereby delegates to the Chief, Tariffs Section, Rates Division, Bureau of Economics, the authority to:

(a) Reject any tariff, supplement, or revised page which is filed by any U.S. air carrier or by any foreign air carrier, and which is subject to rejection because it is not consistent with section 403 of the Act or with Part 221 or 222 of this chapter (Economic Regulations). Where a tariff, supplement, or loose-leaf page is filed on more than 60 days' notice and is not rejected within the first 30 days commencing with and counting the filing date, it shall not be rejected after such 30-day period under this delegated authority unless the issuing carrier or agent is given an opportunity to remove the cause for rejection by the effective date, upon Special Tariff Permission if necessary, and fails to take such corrective action.

(b) Approve or disapprove any application for permission to make tariff changes upon less than statutory notice, filed pursuant to § 221.190 of this chapter (Economic Regulations).

(c) Approve or disapprove applications for waiver of Part 221 of this chapter (Economic Regulations) in accordance with § 221.201 of this chapter.

(d) Permit cancellation of a tariff in instances when an investigation of a tariff is pending, or the tariff is under suspension, or when a complaint requesting investigation or suspension of a tariff has been filed.

(e) In instances when an investigation of a tariff is pending, or the tariff is under suspension, or where a complaint requesting investigation or suspension of a tariff has been filed, dismiss the investigation or complaint, or terminate the suspension, provided the tariff to which such investigation, complaint or suspension relates has been canceled, ordered canceled, modified so as to remove the grounds for the investigation or complaint, or has expired.

(f) Institute an investigation of, or institute an investigation and suspend the effectiveness of, a tariff or change in a tariff which:

(1) Is substantially similar to a prior tariff under investigation or suspension; and

(2) Is filed by or on behalf of one or more of the carriers party to the prior tariff; and

(3) Is filed within 90 days after the expiration, modification, or cancellation of the prior tariff, or within 90 days after

the effective date of an order requiring its cancellation or modification.

(g) Extend the period of suspension of a tariff under suspension when the proceedings concerning the lawfulness of such tariff cannot be concluded before the expiration of the existing suspension period: *Provided*, That the aggregate of such extensions may not be for a longer period than permitted under section 1002(g) of the Act.

(h) Approve or disapprove applications filed under section 403(b) of the Act and § 223.8 of this chapter (Economic Regulations) for permission to furnish free or reduced rate air transportation in overseas or foreign air transportation.

(i) Grant or deny to a certificated all-cargo air carrier an exemption, pursuant to section 416(b) (1), from the provisions of sections 401 and 403(b) insofar as said sections would prevent such carrier from providing transportation to persons between points in its certificate on regularly scheduled cargo flights for the purpose of collecting data for preparation of feature news, pictorial, or like articles provided that:

(1) The transportation is limited to the writer, journalist, or photographer engaged in the preparation of data for use in feature news, pictorial, or like articles which are to appear in newspapers or trade magazines and which will publicize the regularly scheduled cargo operations of the carrier:

(2) The exemption shall be granted only upon the condition that the all-cargo air carrier shall collect from each person transported not less than the lowest fare in effect by carriers authorized to transport persons in regularly scheduled passenger service between the points involved.

(j) Grant or deny to a carrier an exemption and/or one extension thereof, pursuant to section 416(b) (1), from the provisions of section 403(b) insofar as the latter section would prevent the carrier from providing free transportation for the purposes of engaging in technical in-flight observations necessary or desirable for meteorological purposes or in other cases substantially similar to cases previously acted upon by the Board, provided that:

(1) The free transportation is limited to technical personnel regularly engaged in duties directly related to the purposes for which the free transportation is authorized and is provided only when they are engaged in the specific technical in-flight activity and does not include other transportation;

(2) The exemption or the subsequent single extension thereof shall be for a period not to exceed 6 months; and

(3) The exemption shall be granted only upon the condition that the carrier file with the Board, within 10 days after the close of each month, during which the exemption is in force, the name of each person provided free transportation thereunder, his company affiliation and the dates, flights, and points between which such free transportation was provided.

§ 385.16 Delegation to the Chief, Local Service Division, Bureau of Economics.

The Board hereby delegates to the Chief, Local Service Division, Bureau of Economics, the authority to:

(a) Issue orders effectuating profit sharing determinations pursuant to the local service class subsidy rates in any case in which there is final agreement between the staff and the carrier for which the determination is made and no novel fundamental issues are involved.

(b) Issue letters disposing of earnings-deficiency matters pursuant to the local service class subsidy rates in cases where the amount of the earnings-deficiency for the particular period involved has no impact on profit sharing for the carrier for any other period.

(c) Issue final orders establishing temporary or final subsidy rates in those cases where no objection has been filed following release of the show cause order, and where the rates established are the same as those proposed in the Board-approved show cause order.

§ 385.17 Delegation to the Director, Bureau of Accounts and Statistics.

The Board hereby delegates to the Director, Bureau of Accounts and Statistics, the authority to:

(a) Waive any of the accounting, reporting, and record-retention requirements as warranted, to meet temporary or local conditions.

(b) Interpret the Board's accounting, reporting, and record-retention requirements. This authority may not be delegated.

(c) Establish detailed standard accounting, reporting, and record-retention practices required to achieve conformance with regulations promulgated by the Board.

(d) Grant or deny with the concurrence of the General Counsel, the Director, Bureau of Economics, and the Director, Bureau of Operating Rights, requests for confidential treatment of preliminary yearend financial reports.

(e) Grant or deny requests by air carriers for substitution of their own forms or adaptation of Board forms to meet special needs where Board approval of such forms is required by the Economic Regulations.

(f) Establish classification of aircraft types for reporting financial data and traffic capacity statistics.

(g) Prescribe, in specific instances, different passenger weight standards to approximate variations in actual experience, for reporting passenger ton-miles and available ton-miles.

(h) Require submission by carrier of special statements necessary to an explanation of any carrier accounting or reporting practice.

(i) Dismiss petitions for Board action with respect to accounting and reporting matters when such dismissal is requested or consented to by the petitioner.

§ 385.18 Delegation to the Chief, Regulations and Reports Division, Bureau of Accounts and Statistics.

The Board hereby delegates to the Chief, Regulations and Reports Division,

Bureau of Accounts and Statistics, the authority to take any or all of the following actions in administering the accounting report or record-retention regulation of Part 249 of this chapter (Economic Regulations):

(a) Extend, with the concurrence of the Director, Bureau of Enforcement, the time period for the preservation of records relating to errors, oversales, irregularities, and delays in handling of passengers, § 249.13(f) of this chapter (Category No. 303(a) of the Schedule of Records to Part 249 of the Economic Regulations).

(b) Grant or deny individual requests for extension of time for filing reports.

§ 385.19 Delegation to the General Counsel.

The Board hereby delegates to the General Counsel the authority to:

(a) Issue proposed or final regulations for the purpose of making editorial changes or corrections in the Board's rules and regulations, with the concurrence of the bureaus or staff offices primarily responsible for the parts or sections involved: *Provided*, That any final regulation so issued shall have an effective date not less than 20 days after its date of publication in the FEDERAL REGISTER, and shall include a brief reference to the review procedures established in Subpart C of this part.

(b) Where a petition for review is duly filed, reverse any rule making action taken by him pursuant to paragraph (a) of this section by withdrawing a proposed or final regulation issued thereunder, in which case the petition for review will not be submitted to the Board. (Such a withdrawal is not subject to the review procedures of Subpart C of this part.)

(c) Issue, upon request therefor, interpretations of facts bearing upon disqualification of former Board members and employees under § 300.13 or § 300.14 of this chapter (Procedural Regulations), and to grant or deny requests for leave to represent anyone in a Board proceeding or matter under § 300.15 of this chapter.

(d) Issue orders deferring action until after oral argument on motions submitted by parties subsequent to the issuance of an Examiner's initial or recommended decision.

(e) Settle claims for money damages of \$1,000 or less against the United States arising under the Federal Tort Claims Act from acts or omissions of Board employees.

§ 385.20 Delegation to Associate General Counsel, Rules and Rates Division.

The Board hereby delegates to the Associate General Counsel, Rules and Rates Division, the authority to:

(a) Grant or deny any motion made by an air carrier association pursuant to § 263.3 of this chapter (Economic Regulations) for leave to participate in a Board proceeding in which no formal hearing is held.

(b) Call public meetings in pending rule making proceedings.

(c) Issue a notice suspending the effective dates of final regulations issued

by the General Counsel pursuant to the delegation contained in § 385.19(a), pending Board determination of review proceedings instituted thereon, whether by petition or upon order of the Board. (Such a notice is not subject to the review procedures of Subpart C of this part.)

(d) Approve or disapprove, for good cause shown, requests to extend the time for filing comments on proposed new or amended economic or procedural regulations.

§ 385.21 Delegation to Associate General Counsel, Routes Division.

The Board hereby delegates to the Associate General Counsel, Routes Division, the authority to:

(a) Issue Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits when revisions thereof are necessitated by a change in the name of the carrier or of points specified in the certificate or permit: *Provided*, That no issue of substance concerning the operating authority of a carrier is involved.

(b) Issue revised Certificates of Public Convenience and Necessity or orders authorizing temporary suspension of service in cases where the Board has previously authorized a certain carrier to serve a particular point in substitution for another carrier, after proper showing has been made that such a transfer of service has or will be completed on a specified date.

(c) Issue revised Certificates of Public Convenience and Necessity where a certificate previously issued has not yet become effective and it is necessary to reflect changes subsequently made in such certificates in another proceeding which have become effective.

(d) Issue revised Certificates of Public Convenience and Necessity to local service carriers for new route authorizations where the Board has previously withheld issuance of such certificates pending completion of any ancillary rate proceedings that may be found necessary, after such proceedings have been satisfactorily completed.

§ 385.22 Delegation to the Director, Bureau of Enforcement.

The Board hereby delegates to the Director, Bureau of Enforcement, the authority to:

(a) Compromise any civil penalties being imposed for economic violations.

(b) Issue orders initiating informal nonpublic investigations by the Bureau of Enforcement under Part 305 of this chapter (Procedural Regulations).

Subpart C—Procedure on Review of Staff Action

§ 385.50 Persons who may petition for review.

Petitions for review may be filed by the applicant; by persons who have availed themselves of the opportunity, if any, to participate in the matter at the staff action level; and by persons who have not had opportunity to so participate or show good and sufficient cause for not having participated: *Provided*, That

such persons, other than the applicant, disclose a substantial interest which would be adversely affected by the respective staff action.

§ 385.51 Petitions for review.

(a) *Time for filing.* Petitions for review shall be filed and served within ten (10) days after the date of the staff action to which they relate, but a different period may be fixed in such staff action consistent with effective preservation of the right to petition for discretionary Board review and the exigencies of the situation.

(b) *Contents.* Petitions for review shall demonstrate that (1) a finding of material fact is clearly erroneous; (2) a legal conclusion is contrary to law, Board rules, or precedent; (3) a substantial and important question of policy is involved; (4) a prejudicial procedural error has occurred; or (5) the staff action is substantially deficient on its face. The petition shall briefly and specifically state the alleged grounds for review and the relief sought. If persons who participated at the staff action level set forth any new facts, arguments, or other new matter, an explanation must be furnished as to why said matter was not previously adduced at the staff action level. In the absence of a valid explanation, the Board may disregard such new matter.

(c) *Form and filing.* Petitions shall comply with the form and filing requirements of §§ 302.3 (a), (b), and (c), and 302.4 of this chapter (Board's rules of practice in Economic Proceedings). Petitions shall not exceed 10 pages in length. A greater length, however, may be specified in the staff action taken. The petitions shall be accompanied by proof of required service. However, persons who seek review of a civil penalty proposed by the Director, Bureau of Enforcement pursuant to § 385.22(a) may submit their request therefor by letter to the Board, with a copy to the Director, Bureau of Enforcement, and need not comply with the above form and filing requirements.

(d) *Service.* A petition filed by a person other than the applicant shall be served on the applicant. Petitions shall also be served on any persons who have served documents on the petitioner at the staff action level, and on such other persons as may be directed by the Board or the staff member who took the action to be reviewed.

(e) *Answers.* The applicant and such other persons as disclose a substantial interest which would be adversely affected by the relief sought in the petition may, within ten (10) days after filing the petition, file an answer thereto. A different period for the filing of answers may be fixed in the staff action. Such answers shall comply with the form and filing requirements applicable to petitions and shall be served on the applicant and any other person who has theretofore served a document in the matter on such respondent.

§ 385.52 Effective date of staff action.

Unless, within the time provided by or pursuant to this regulation, a petition

for review is filed or the Board gives notice that it will review on its own motion, staff action shall, without further proceedings, be effective and become the action of the Board upon the expiration of such period. A timely petition for review filed in accordance with the provisions of this section, or notice given by the Board of review on its own motion, shall stay the staff action pending disposition by the Board, unless the Board determines otherwise or unless the staff action provides otherwise in accordance with Subpart A of this part. However, in cases where the Board's regulations provide that permissions or approvals are granted, or that other legal effects result, within a stated period from the filing with the Board of a prescribed document, unless the Board gives notice to the contrary or takes other action within said period, such notice given or action taken by a staff member under delegated authority shall toll the running of such period. A timely petition for review of staff action which is not stayed by its filing which is received after or not acted upon before the effective date of the action shall be entertained and disposed of on its merits as a petition for reconsideration.

§ 385.53 Review by the staff.

Where a petition for review is duly filed, the staff member may, upon consideration of all documents properly filed, reverse his decision. Except in the case of hearing examiners, action taken by a staff member other than a bureau director or office head may be reversed by the respective bureau director or office head who is in the supervisory chain of command with respect to the staff member who took the initial action. If the initial action is reversed, the petition for review will not be submitted to the Board. Staff action reversing the initial action shall be subject to petition for Board review as any other staff action.

§ 385.54 Decision by the Board.

(a) *Decline of right to review.* If the Board declines its right to exercise discretionary review, the staff action stayed by the petition for review shall become effective on the second business day following the date of service of the Board's order, unless the order provides otherwise.

(b) *Exercise of right to review.* The Board will exercise its discretionary right of review either upon petition or on its own motion if two or more Board Members so desire. The Board may by order provide for interlocutory relief pending its decision on the merits and may limit the issues on review. It may affirm, modify or set aside the staff action, may order the matter remanded, or may order further submittals or other proceedings before making its decision on the merits. In case the Board affirms the staff action, staff action stayed by the petition for review shall become effective on the second business day following the date of service of the Board's order, unless the order provides otherwise. Decisions by the Board under this part are final

and will not be subject to petitions for reconsideration.

By the Civil Aeronautics Board,

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-6896; Filed, June 20, 1967;
8:45 a.m.]

[Reg. OR-21]

PART 389—FEES AND CHARGES FOR SPECIAL SERVICES

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of June 1967.

The fees and charges for special Board services are here being adjusted to reflect costs which will be incurred in providing facilities for the copying of Board records pursuant to the Freedom of Information Act, 5 U.S.C. 552(a) (2), (3), (4). The copying of documents will be done by the Board itself, or in appropriate cases by a non-Government contractor. The fee for photocopying by the Board, including handling, will be at the rate of 35 cents per page, with a minimum charge of \$1 exclusive of postage. The fee for work done by a non-Government contractor will be established in the contract with the Board. Apart from the copying charges, Part 389 remains unchanged.

Part 389, as here amended, is being reissued so that the current regulation will be available to the public in a single document. For the present, Part 389, as amended, does not assess any fee for those situations where a member of the public desires to inspect a record but does not wish to purchase a copy thereof. However, if the Freedom of Information Act results in a significant volume of additional work burden, the Board may then consider the imposition of a charge in such situations.

Since this regulation is a rule of agency practice and procedure, notice and public procedure hereon are not required. The Board finds that the rule should be made effective July 4, 1967, in order that the Board may be in full compliance with the Freedom of Information Act on its effective date.

Accordingly, the Board hereby amends and reissues Part 389 of the Organization Regulations (14 CFR Part 389), effective July 4, 1967, to read as follows:

Sec.	
389.1	Policy and scope.
389.2	Services available.
389.3	Payment of fees and charges.
389.4	Fees for services.
389.5	Copying records and documents.
389.6	Certification of copies of documents.
389.7	Board publications.
389.8	Transcripts of hearings.

AUTHORITY: The provisions of this Part 389 issued under sec. 204(a), Federal Aviation Act of 1958, 72 Stat. 743; 49 U.S.C. 1324; Title V of Act of Aug. 31, 1951, 65 Stat. 268; 5 U.S.C. 140; Freedom of Information Act, 81 Stat. 54; 5 U.S.C. 552.

§ 389.1 Policy and scope.

Pursuant to policies established by the Congress, the Government's costs for

special services furnished to individuals or firms who request such services are to be recovered by the payment of fees. (Title V of Independent Offices Appropriation Act of 1952; 5 U.S.C. 140.) This part sets forth the special services made available by the Board and the fees therefor.

§ 389.2 Services available.

Upon request and payment of fees as provided in subsequent sections, there are available, with respect to documents subject to inspection, services as follows:

- Copying records and documents.
- Certification of copies of documents under seal of the Board.
- Subscriptions to publications of the Board.
- Transcripts of hearings.

§ 389.3 Payment of fees and charges.

The fees charged for special services may be paid by check, draft, or postal money order, payable to the Civil Aeronautics Board, except for charges for reporting services which are performed under competitive bid contracts with non-Government firms. Fees for reporting are payable to the firms providing the services.

§ 389.4 Fees for services.

Except for photocopy work, the basic fees set forth below provide for documents to be mailed with ordinary first-class postage prepaid. If copy is to be transmitted by registered, certified, air, or special delivery mail, postal fees therefor will be added to the basic fee. Also, if special handling or packaging is required, costs therefor will be added to the basic fee. For photocopy work, postage will be in addition to the fee for copying.

§ 389.5 Copying records and documents.

Copies of public records and documents on file with the Civil Aeronautics Board, as it may be practicable to furnish, will be provided upon request therefor and payment of fees as set forth below:

- Copies of documents are made by Board facilities, or by non-Government contractors.
- The fee for photocopying, including handling, will be at the rate of 35 cents per page.
- A minimum fee of \$1 excluding postage will be charged for this service.
- The fee for copying by non-Government contractors will be that established in the contracts with the Board and will be billed directly by such contractors.

§ 389.6 Certification of copies of documents.

The Secretary of the Board will provide, on request, certification or validation (with the Civil Aeronautics Board seal) of documents filed with or issued by the Board. Copies of tariffs filed with the

Board will be certified only when such copies have been made under the Board's supervision upon request of the applicant. Charges for this service are as follows: Certification of the Secretary, \$2. This fee includes clerical services involved in checking the authenticity of records to be certified, and shall be prepaid with the request. If copying of the documents to be certified is required, the copying charges provided for in § 389.5 will be in addition to the charges specified in this section.

§ 389.7 Board publications.

(a) *Charges for subscriptions.* Charges are established for subscriptions to Board publications for which there are regular mailing lists. Publications available, and charges therefor, are described in the "List of Publications" available on request to the Board's Publications Section B-22, Washington, D.C. 20428. This list and the charges therein are subject to revision at least annually and without prior notice. Subscriptions to publications are for calendar year terms and all subscriptions expire on December 31 of each year. Subscriptions to weekly or monthly publications for periods of less than a full calendar year will be prorated on a monthly basis. Quarterly publications will be prorated on a quarterly basis. No provision is made for refund upon cancellation of subscription by a purchaser. Payment for subscriptions in the form prescribed in § 389.3 shall accompany the subscription order.

(b) *Free services.* No charge will be made by the Board for notices, decisions, orders, etc., required by law to be served on a party to any proceeding or matter before the Board. No charge will be made for single copies of Board publications individually requested in person or by mail, except where a charge is specifically fixed for a publication at the time of its issuance. In addition, subscriptions to Board publications will be entered without charge when one of the following conditions is present:

- The furnishing of the service without charge is an appropriate courtesy to a foreign country or international organization;
- The recipient is engaged in a nonprofit activity designed for the public safety, health, and welfare in the field of civil aeronautics;
- The recipient is another Government agency, Federal, State, or local, concerned with aeronautics or having a legitimate interest in the proceedings and activities of the Board;
- The recipient is a college or university;
- The recipient does not fall into any of the foregoing categories, but free service or service at a reduced rate is determined by the Board to be appropriate in the interest of and contributing to the Board's program.

(c) *Reciprocal services.* Arrangements may be made for furnishing publications to a foreign country on a reciprocal basis.

§ 389.8 Transcripts of hearings.

Transcripts of testimony and oral argument are furnished by a non-Government contractor, and may be purchased directly from the reporting firm.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-6898; Filed, June 20, 1967;
8:45 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 814.5, Amdt. 3]

PART 814—ALLOTMENT OF SUGAR QUOTAS, MAINLAND CANE SUGAR AREA

1967

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 926 as amended), hereinafter called the "Act", for the purpose of amending Sugar Regulation 814.5, Amdt. 2 (32 F.R. 6188) which established allotments for the Mainland Cane Sugar Area for the calendar year 1967.

This amendment is necessary to substitute final data for estimated data on 1966 crop sugar production, 1966 sugar marketings and January 1, 1967, sugar inventories on the basis of data which have become a part of the official records of the Department, give effect to Sugar Regulation 811, Amdt. 8, effective June 9, 1967 which established the Mainland Cane Sugar Area Quota at 1,134,667 short tons, raw value, a quantity 34,667 tons greater than the quantity previously established and to establish allotments of the entire Mainland Cane Sugar Area Quota on the basis of such final data and increased quota.

In accordance with paragraphs (5), (6), and (8) of the findings and conclusions set forth in S.R. 814.5, Amdt. 2 (32 F.R. 6188), and pursuant to paragraph (e) of such regulation, paragraph (7) of such findings and conclusions is amended to read as follows:

(7) The quantity of sugar and the percentages referred to in paragraph (5) above, reflecting final data on 1966 crop processings, 1966 marketings and January 1, 1967, inventories, for determining 1967 allotments are set forth in the following table:

RULES AND REGULATIONS

Processor	Processings of sugar ¹		Average quota marketings ²		Effective inventory Jan. 1, 1967	Ability to market				Processors basic allotment ⁴		Processor's adjusted allotment, ⁵ short tons, raw value
	Short tons, raw value	Percent of total	Short tons, raw value	Percent of total		New-crop quota marketings		Measures used		Percent of total	Short tons, raw value	
						Average 1964-66	Shares of difference ³	Col. (8) plus col. (7)	Percent of total			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
Albana Sugar Co.	10,454	0.858	10,703	1.017	1,137	9,396	7,340	8,477	0.747	0.898	9,843	9,653
Alma Plantation, Ltd.	10,407	.854	10,192	.968	760	10,014	7,523	8,583	.757	.857	9,718	9,533
J. Aron & Co., Inc.	13,633	1.121	15,113	1.436	0	14,935	11,667	11,667	1.028	1.165	13,213	12,966
Billeaud Sugar Factory	9,943	.816	10,212	.970	2,690	7,802	6,134	8,814	.777	.839	9,514	9,333
Breaux Bridge Sugar Co-op.	9,427	.774	8,754	.832	2,723	7,137	5,573	8,298	.731	.777	8,812	8,644
Wm. T. Burton Industries, Inc.	6,515	.535	8,923	.848	651	4,983	3,893	4,544	.461	.571	6,978	6,845
Caire & Graingard	5,648	.464	5,677	.539	479	4,973	3,885	4,364	.385	.463	5,250	5,150
Cajun Sugar Co-op., Inc.	20,234	1.661	19,462	1.840	20,234	38	30	20,264	1.736	1.724	19,530	20,234
Caldwell Sugars Co-op., Inc.	13,792	1.122	12,816	1.217	909	12,505	9,768	10,677	.941	1.111	12,599	12,399
Columbia Sugar Co.	9,007	.739	8,152	.774	2,000	7,302	5,704	7,764	.684	.735	8,335	8,174
Cora-Texas Manufacturing Co., Inc.	9,242	.769	7,176	.682	6,222	3,213	2,510	8,732	.770	.746	8,461	8,300
Dugas & LeBlanc, Ltd.	15,477	1.271	14,545	1.382	2,165	13,924	10,877	13,042	1.150	1.209	14,391	14,117
Dube & Bourgeois Sugar Co.	10,964	.900	10,133	.963	1,079	9,821	7,672	8,751	.771	.887	10,090	9,866
Erath Sugar Co., Ltd.	6,483	.532	7,416	.704	647	5,927	4,630	5,277	.465	.553	6,270	6,150
Evan Hall Sugar Co-op., Inc.	23,894	1.962	22,130	2.102	2,369	21,756	16,995	19,364	1.707	1.939	21,988	21,509
Frisco Cane Co., Inc.	3,066	.252	2,846	.270	533	2,452	1,915	2,448	.216	.249	2,824	2,779
Glenwood Co-op., Inc.	16,864	1.385	15,663	1.488	1,673	15,438	12,060	13,733	1.210	1.371	15,545	15,251
Helvetia Sugar Co-op., Inc.	13,331	1.094	11,855	1.126	2,431	11,253	8,790	11,221	.989	1.079	12,237	12,064
Iberia Sugar Co-op., Inc.	19,486	1.600	19,621	1.804	6,766	13,437	10,496	17,262	1.521	1.637	18,564	18,210
Lafourche Sugar Co.	19,270	1.582	17,855	1.696	2,936	17,017	13,293	16,229	1.430	1.574	17,949	17,500
Harry L. Laws & Co., Inc.	15,763	1.294	16,524	1.509	2,163	12,392	9,680	11,843	1.044	1.299	14,780	14,449
Leyvert-St. John, Inc.	13,061	1.072	14,736	1.400	0	13,537	10,575	10,575	.932	1.110	12,354	12,354
Little Texas, Inc.	5,610	.461	4,449	.422	2,128	4,021	3,141	5,209	.464	.454	4,180	4,041
Louisiana Sugar Co-op., Inc.	12,380	1.000	11,533	1.097	2,901	9,705	7,681	10,482	.924	1.004	11,386	11,100
Louisiana State Penitentiary	4,066	.334	3,057	.290	2,537	1,987	1,552	4,109	.362	.331	3,738	3,611
Meeker Sugar Co-op., Inc.	10,963	.900	10,400	.988	8,907	3,103	2,424	11,331	.999	.937	9,900	9,711
Milliken & Farwell, Inc.	10,736	.881	9,727	.924	1,770	9,288	7,255	9,025	.796	.873	9,900	9,711
M. A. Patout & Son, Ltd.	17,198	1.412	15,733	1.494	2,983	14,819	11,876	14,559	1.283	1.403	15,911	15,638
Poplar Grove Planting & Refining Co.	9,200	.735	9,161	.739	2,395	6,915	5,402	7,797	.687	.764	8,664	8,499
Savoie Industries	15,963	1.273	14,297	1.358	2,197	13,709	8,402	10,709	1.138	1.266	14,357	14,083
St. James Sugar Co-op., Inc.	21,760	1.786	17,333	1.646	1,314	13,214	9,361	20,626	1.818	1.764	20,000	19,625
St. Mary Sugar Co-op., Inc.	13,320	1.258	14,378	1.368	1,921	13,782	10,766	12,687	1.118	1.252	14,198	13,927
South Coast Corp.	62,543	5.159	71,445	6.787	45,965	12,183	9,517	55,482	4.890	5.431	61,389	60,415
Southdown, Inc.	38,242	3.140	42,560	4.043	11,513	24,523	19,156	30,669	2.703	3.233	36,063	35,064
Sterling Sugars, Inc.	28,226	2.317	25,038	2.464	4,729	24,047	18,785	23,514	2.073	2.298	26,059	25,562
Sunshine Processing Co., Inc.	2,859	.235	3,363	.319	1,468	9	7	7	.001	.205	2,325	2,281
J. Suple's Sons Lumber & Shingle Co.	5,626	.462	5,747	.546	1,408	4,144	3,237	4,705	.415	.469	5,318	5,217
Valentine Sugars, Inc.	10,208	.838	12,891	1.224	439	8,769	6,850	7,289	.642	.876	9,934	9,745
Vida Sugars, Inc.	6,157	.505	5,543	.527	821	5,263	4,111	4,932	.435	.495	5,613	5,506
A. Wilbert's Sons Lumber & Shingle Co.	10,813	.888	10,133	.963	1,906	9,330	7,288	9,194	.810	.887	10,059	9,867
Young's Industries, Inc.	7,135	.586	7,429	.706	2,088	5,129	4,007	6,095	.537	.600	6,903	6,873
Louisiana subtotal	570,676	46.852	565,641	53.730	170,619	399,389	311,988	482,607	42.537	47.365	537,645	528,452
Atlantic Sugar Association, Inc.	34,590	2.840	31,631	2.947	33,375	58	45	35,420	3.122	2.918	33,090	32,535
Florida Sugar Corp.	20,833	1.710	12,064	1.145	17,209	4,083	3,191	20,400	1.798	1.614	18,305	17,956
Glades County Sugar Growers Co-op. Association	46,409	3.810	33,874	3.218	47,435	0	0	47,435	4.181	3.766	42,707	44,967
Oseola Farms Co.	52,706	4.332	36,066	3.425	83,755	1,360	1,062	84,817	4.831	4.250	48,198	50,339
South Puerto Rico Sugar Co., Inc.	81,977	6.730	95,973	6.362	75,944	9,708	7,584	83,528	7.362	6.783	76,925	74,458
Sugarcane Growers Co-op. of Florida	115,600	9.491	84,763	8.052	117,865	3	2	117,867	10.389	9.383	105,409	111,734
Talisman Sugar Corp.	51,769	4.250	27,444	2.607	52,639	129	101	52,740	4.648	4.001	45,376	45,901
United States Sugar Corp.	243,421	19.985	194,907	18.514	209,175	39,144	30,878	239,753	21.132	19.920	225,912	221,605
Florida subtotal	647,365	53.148	487,104	46.270	609,397	54,487	42,563	651,960	57.463	52.635	596,922	606,113
Total all mainland cane	1,218,041	100.000	1,052,745	100.000	780,016	453,876	354,551	1,134,567	100.000	1,134,567	1,134,567	1,134,567

¹ The higher of either the production of sugar from the 1966 crop sugarcane or 85 percent of the average production for the 1964 and 1965 crops of sugarcane.

² Average annual quota marketing for each processor for years he had such marketing during the period 1964 through 1966.

³ The difference between 1,134,567 tons (quota for 1967 established by S.R. 811, Amdt. 8, less 100 tons reserve for Louisiana State University) and the total Jan. 1, 1967, effective inventories for all processors amounting to 780,016 tons. This difference of 354,551 tons prorated on the basis of each processor's average 1964-66 new-crop marketings.

⁴ Column (10) was determined by weighting "processings" Col. (2) by 60 percent, "marketings" Col. (4) by 20 percent, and "ability" Col. (9) by 20 percent. Column (11) was determined by multiplying the quota, less 100 tons reserved for Louisiana State University, by Column (10) and revising such resulting allotments by adding 500 tons to the allotment of Wm. T. Burton Industries, Inc., and reducing proportionately by a total of 500 tons the allotments of processors who were recipients of deficit reallocations in 1966 as provided in finding (5)(c). Such reduction can be

determined for each individual processor by multiplying the percentage in Col. (10) times the quota, less 100 tons reserved for Louisiana State University, and subtracting therefrom the amount shown in Col. (11).

⁵ Basic allotments in Col. (11) which were less than the respective processors' Jan. 1, 1967, effective inventories were increased by a total of 16,000 short tons, raw value, and such basic allotments of other processors (those having Jan. 1, 1967, effective inventories not in excess of their basic allotments) were reduced proportionately as necessary to make total adjusted allotments equal to the quota in short tons, raw value, less 100 tons set aside for Louisiana State University. Upward adjustments in allotments (not to exceed a total of 16,000 tons) were made, first by increasing the allotment of any processor having a Jan. 1, 1967, physical inventory in excess of his basic allotment to the extent of such excess; and second, the remainder of the 16,000 tons was prorated to increase the allotments of other processors having Jan. 1, 1967, effective inventories in excess of their basic allotments in a manner that permitted each affected processor to market the same percentage, but not more than 100 percent, of his Jan. 1, 1967, effective inventory.

Pursuant to provisions of section 205(a) of the Act and in accordance with paragraph (e) of § 814.5 of this chapter, paragraph (a) of such § 814.5 is amended to read as follows:

§ 814.5 Allotment of the 1967 sugar quota for the mainland cane sugar area.

(a) *Allotments.* The 1967 sugar quota for the Mainland Cane Sugar Area of 1,134,667 short tons, raw value, is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processors	Allotments (Short tons, raw value)
Albania Sugar Co.	9,655
Alma Plantation, Ltd.	9,533
J. Aron & Co., Inc.	12,966
Billeaud Sugar Factory	9,333
Breaux Bridge Sugar Co-op.	8,644
Wm. T. Burton Industries, Inc.	6,845
Caire & Graunard	5,150
Cajun Sugar Co-op., Inc.	20,234
Caldwell Sugars Co-op., Inc.	12,359
Columbia Sugar Co.	8,176
Corn-Texas Manufacturing Co., Inc.	8,300
Dugas & LeBlanc, Ltd.	14,117
Dube & Bourgeois Sugar Co.	9,868
Erath Sugar Co., Ltd.	6,150
Evan Hall Sugar Co-op., Inc.	21,569
Frisco Cane Co., Inc.	2,770
Glenwood Co-op., Inc.	15,251
Helvetia Sugar Co-op., Inc.	12,004
Iberia Sugar Co-op., Inc.	18,210
Lafourche Sugar Co.	17,509
Harry L. Laws & Co., Inc.	14,449
Levert-St. John, Inc.	12,354
Little Texas, Inc.	5,051
Louisa Sugar Co-op., Inc.	11,169
Louisiana State Penitentiary	3,681
Louisiana State University	100
Meeker Sugar Co-op., Inc.	10,422
Milliken & Farwell, Inc.	9,711
M. A. Patout & Son, Ltd.	15,608
Poplar Grove Planting & Refining Co.	8,499
Savole Industries	14,083
St. James Sugar Co-op., Inc.	19,625
St. Mary Sugar Co-op., Inc.	13,927
South Coast Corp.	60,415
Southdown, Inc.	35,964
Sterling Sugars, Inc.	25,562
Sunshine Processing Co., Inc.	2,281
J. Supple's Sons Planting Co., Inc.	5,217
Valentine Sugars, Inc.	9,745
Vida Sugars, Inc.	5,506
A. Wilbert's Sons Lumber & Shingle Co.	9,867
Young's Industries, Inc.	6,873
Louisiana subtotal	528,552
Atlantic Sugar Association	33,535
Florida Sugar Corp.	17,956
Glades County Sugar Growers Co-op. Association	44,967
Osceola Farms Co.	50,959
South Puerto Rico Sugar Co., Inc.	75,458
Sugarcane Growers Co-op. of Florida	111,734
Tallemann Sugar Corp.	49,901
United States Sugar Corp.	221,605
Florida subtotal	606,115
Total, all mainland cane	1,134,667

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 205, 209; 61 Stat. 926, as amended, 928, as amended; 7 U.S.C. 1115, 1119)

Effective date. Allotments established in this order for all processors are

larger than the allotments established in S.R. 814.5, Amdt. 2 (32 F.R. 6188). To afford adequate opportunity to plan and to market the additional quantities of sugar in an orderly manner, it is imperative that this amendment becomes effective as soon as possible. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of 5 U.S.C. 553 (80 Stat. 378) is impracticable and contrary to the public interest and consequently, this amendment shall be effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 15th day of June, 1967.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-6901; Filed, June 20, 1967; 8:45 a.m.]

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

[Valencia Orange Reg. 206, Amdt. 1]

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

Limitation of Handling

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

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

Order, as amended. The provisions in paragraph (b) (1) (i) and (ii) of § 908.506 (Valencia Orange Regulation 206, 32 F.R. 8363) are hereby amended to read as follows:

§ 908.506 Valencia Orange Regulation 206.

- (b) Order. (1) * * *
- (i) District 1: 361,000 cartons;
- (ii) District 2: 589,000 cartons.

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

Dated: June 16, 1967.

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

[F.R. Doc. 67-6942; Filed, June 20, 1967; 8:46 a.m.]

[Lemon Reg. 271, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 910.571 (Lemon Reg. 271, 32 F.R. 8364) are hereby amended to read as follows:

§ 910.571 Lemon Regulation 271.

- (b) Order. (1) * * *
- (ii) District 2: 474,300.

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

Dated: June 16, 1967.

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

[F.R. Doc. 67-6943; Filed, June 20, 1967; 8:46 a.m.]

Title 23—HIGHWAYS AND VEHICLES

Chapter II—Vehicle and Highway Safety

[Docket No. 15]

PART 255—INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Appendix A—Interpretations

OVERALL WIDTH AND STEERING CONTROLS

In response to inquiries for interpretation of Federal Motor Vehicle Safety Standards Nos. 108 (32 F.R. 2411) and 204 (32 F.R. 2414), under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegation of authority of March 31, 1967 (32 F.R. 5606), as amended April 6, 1967, the following interpretations have been formulated and adopted by the National Highway Safety Bureau for the guidance of the public and are hereby published in the FEDERAL REGISTER in accordance with 5 U.S.C. 552(b).

Issued in Washington, D.C., on June 15, 1967.

LOWELL K. BRIDWELL,
Federal Highway Administrator.

MOTOR VEHICLE SAFETY STANDARD NO. 108

LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT—MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, TRAILERS, AND BUSES, 80 OR MORE INCHES WIDE OVERALL.

The term "overall width" refers to the nominal design dimension of the widest part of the vehicle, exclusive of signal lamps, marker lamps, outside rearview mirrors, flexible fender extensions, and mud flaps, determine with doors and windows closed, and the wheels in the straight-ahead position.

This supersedes the interpretation of the term "overall width" appearing in the FEDERAL REGISTER of March 1, 1967 (32 F.R. 3390).

MOTOR VEHICLE SAFETY STANDARD NO. 204

STEERING CONTROL REARWARD DISPLACEMENT—PASSENGER CARS

When conducting the barrier collision test, a driver dummy may be used without measuring the impact force developed on the chest.

In the event that the vehicle impacts the barrier at a velocity not less than 30 miles per hour nor more than 33 miles per hour, the displacement of the steering column may be corrected to 30 miles per hour by means of the following formula:

$$\frac{D_1}{D_2} = \frac{V_1^2}{V_2^2}$$

[F.R. Doc. 67-6954; Filed, June 20, 1967; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy SUBCHAPTER B—NAVIGATION

PART 706—NAVIGATIONAL LIGHT WAIVERS

Certifications of the Secretary of the Navy

Scope and purpose. Sections 360 and 1052 of Title 33, United States Code,

provide that the requirements of the Regulations for Preventing Collisions at sea, 1960, the Inland Rules, the Great Lakes Rules, and the Western River Rules as to number, position, range of visibility, or arc of visibility of lights require to be displayed by vessels shall not apply to any vessel of the Navy when the Secretary of the Navy shall find or certify that, by reason of special construction, it is not possible for such vessel or class of vessels to comply with the statutory provisions as to navigation lights.

A recent study indicates that the military design characteristics of the Auxiliary Aircraft Transport (AVT) preclude the installation of the forward 20-point white light (Masthead light) as required by Rule 2(a) of the Regulations for Preventing Collisions at Sea (33 United States Code, sec. 1062(a)).

I hereby certify that these Auxiliary Aircraft Transports (AVT) are naval vessels of special construction and, with respect to the position on such vessels of the forward 20-point white light, it is

not possible to comply with the requirements of the statutes enumerated in sections 360 and 1052, Title 33, United States Code.

Further, I do find that it is feasible to locate the said navigation light as follows:

(a) The forward 20-point white light shall be carried at a height of 26 feet or more above the hull.

Further, I certify that such locations constitute compliance as closely with the applicable statutes as I hereby find to be feasible.

Section 706.2 is amended by:

1. Adding "AVT (Auxiliary Aircraft Transport)" in Table 1 under "AIRCRAFT CARRIERS"; and

2. Revising the introductory paragraph of note 3;

to read as follows:

§ 706.2 Certifications of the Secretary of the Navy under 33 U.S.C. 360 and 1052.

TABLE ONE

Vessel class or type	Distance in feet of the forward 20-point white light below minimum required height (based on requirements of International Rule 2(a)(III))	Distance in feet below minimum required vertical separation between forward and after 20-point white lights (based on requirements of International Rule 2(a)(III))	Ratio of horizontal to vertical separation of the two 20-point white lights (based on International Rule 2(a)(III) which requires ratio 3.0 to 1)	Minimum distance horizontally in feet between forward and after 20-point white lights
AIRCRAFT CARRIERS:	***	***	***	***
AVT (Auxiliary Aircraft Transport).	14 or less	None	3.0 or greater to 1	45 or greater.
***	***	***	***	***

NOTES

3. On aircraft carriers (CVA and CVS) and aircraft carrier types (LPH, T-AKV, and AVT), the following additional variations exist:

(Sec. 1, 59 Stat. 590, Sec. 2, 77 Stat. 194, 33 U.S.C. 360, 1052)

PAUL H. NITZ,
Secretary of the Navy.

JUNE 14, 1967.

[F.R. Doc. 67-6923; Filed, June 20, 1967; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4228]

[ES-2430 (Ark.), New Mexico 1583 (Okla.)]

ARKANSAS AND OKLAHOMA

Boundary Adjustment; Ouachita National Forest

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891 (26 Stat. 1103; 16 U.S.C. 471), as amended, and the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The boundaries of the Ouachita National Forest are hereby adjusted to include the following described lands:

ARKANSAS

FIFTH PRINCIPAL MERIDIAN

T. 2 S., R. 30 W.,
Sec. 6, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 7, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

OKLAHOMA

INDIAN MERIDIAN

T. 4 N., R. 22 E.,
Sec. 23, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
T. 4 N., R. 25 E.,
Sec. 13, S $\frac{1}{2}$;
Sec. 14, SE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$;
Sec. 24.

The areas described aggregate approximately 889 acres of acquired lands and 1,171 acres of privately owned lands.

2. The acquired lands are hereby added to and made a part of said national forest and shall hereafter be subject to all laws and regulations applicable thereto, subject to valid existing rights.

3. The boundaries of the Ouachita National Forest are hereby adjusted to exclude the following described lands:

ARKANSAS

FIFTH PRINCIPAL MERIDIAN

- T. 1 N., R. 17 W.,
Sec. 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 3, E $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 4, S $\frac{1}{2}$;
Secs. 5 to 11, inclusive, and 14 to 23, inclusive, and 26 to 35, inclusive.
- T. 1 N., R. 18 W.,
Entire township.
- T. 1 N., R. 19 W.,
Sec. 1, S $\frac{1}{2}$;
Sec. 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, E $\frac{1}{2}$, SW $\frac{1}{4}$;
Secs. 8 to 36, inclusive.
- T. 1 N., R. 20 W.,
Sec. 12, S $\frac{1}{2}$;
Secs. 13 and 14;
Sec. 15, E $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 16;
Sec. 19, S $\frac{1}{2}$;
Secs. 20 to 36, inclusive.
- T. 1 S., R. 17 W.,
Secs. 2 to 11, inclusive, and 14 to 23, inclusive.
- T. 1 S., R. 18 W.,
Secs. 1 to 24, inclusive, and 27 to 32, inclusive;
Sec. 33, N $\frac{1}{2}$.
- T. 1 S., R. 19 W.,
Entire township.
- T. 2 S., R. 19 W.,
Secs. 1 to 12, inclusive;
Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Secs. 17 and 18;
Sec. 19, W $\frac{1}{2}$.
- T. 1 S., R. 20 W.,
Secs. 1 to 5, inclusive;
Sec. 8, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Secs. 9 to 17, inclusive;
Sec. 20, N $\frac{1}{2}$;
Secs. 21 to 28, inclusive;
Sec. 31, SE $\frac{1}{4}$;
Sec. 32, S $\frac{1}{2}$;
Secs. 33 to 36, inclusive.
- T. 2 S., R. 20 W.,
Secs. 1, 2, and 5;
Sec. 6, E $\frac{1}{2}$;
Secs. 10 to 15, inclusive, and
Secs. 23 and 24.

The areas described aggregate approximately 171,200 acres.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 14, 1967.

[P.R. Doc. 67-6932; Filed, June 20, 1967;
8:45 a.m.]

[Public Land Order 4229]

[Utah 0149433]

UTAH

Opening of Lands Subject to Section 24 of Federal Power Act

By virtue of the authority contained in section 24 of the Federal Power Act of

June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

In DA-173-Utah, the Federal Power Commission determined that the power values of the following described lands, withdrawn by Executive order of July 2, 1910, establishing Powersite Reserve No. 34, will not be injured or destroyed by restoration to location, entry, or selection under appropriate public land laws, subject to the provisions of section 24 of the Federal Power Act:

SALT LAKE MERIDIAN

T. 26 S., R. 21 E.,
Sec. 3, lot 1.

The area described contains 1.12 acres in Grand County.

Until 10 a.m. on December 13, 1967, the State of Utah 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 time, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the requirements of applicable law, and subject to the provisions of section 24 of the Federal Power Act, supra. All valid applications received at or prior to 10 a.m. on December 13, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall 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 U.S. mining laws subject to provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 14, 1967.

[P.R. Doc. 67-6933; Filed, June 20, 1967;
8:45 a.m.]

[Public Land Order 4230]

[Misc-1375205]

WYOMING

Partial Revocation of Executive Order No. 5327 of April 15, 1930

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:

1. Executive Order No. 5327 of April 15, 1930, withdrawing oil shale deposits and lands containing such deposits is hereby revoked so far as it affects the following described lands, except for the oil shale deposits therein:

SIXTH PRINCIPAL MERIDIAN

T. 19 N., R. 109 W.,
Sec. 30, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 11.25 acres in Sweetwater County.

2. The lands described in paragraph 1 are hereby classified for direct sale at not less than their appraised value under the act of June 1, 1938 (52 Stat. 609, as amended, 43 U.S.C., secs. 682a-682e). The direct sale of these lands will not be subject to the regulations in 43 CFR Subpart 2233.

CHARLES F. LUCE,
Under Secretary of the Interior.

JUNE 15, 1967.

[P.R. Doc. 67-6934; Filed, June 20, 1967;
8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket 16030; FCC 67-703]

ANTENNA FARM AREAS

Establishment and Use

JUNE 16, 1967.

In the matter of amendment of Parts 1, 17, and 73 to provide for the establishment and use of antenna farm areas.

1. The Commission has before it for consideration its notice of proposed rule making (PCC 65-458, 30 F.R. 7446) issued in Docket No. 16030 on June 2, 1965, and the comments and reply comments submitted by interested parties. The notice outlined our previous efforts, in coordination with the Federal Aviation Administration and its predecessors, to achieve maximum broadcast service to the public through the use of high antennas while recognizing that their existence might in some situations present difficulties to safety of air navigation. Our purpose in instituting this proceeding was to establish procedures which would permit the construction of taller antenna towers without the need for protracted hearings on individual applications for such towers to determine their effect on public safety in air transportation.

Background. 2. To better understand this proceeding, it is important to be cognizant of the circumstances which generated the proposal for the establishment of antenna farms by the Federal Communications Commission. The Commission is directed by section 309(a) of the Communications Act of 1934, as amended, 48 Stat. 1064, 47 U.S.C. 151 et seq., to grant applications if the public interest, convenience, and necessity would be served by the grant thereof. As early as 1939 in its Standards of Good Engineering Practice, the Commission recognized that air safety is an important element of the public interest and as a matter of practice requested the recommendations of aviation authorities concerning specific antennas. In 1946, the Air Coordinating Committee (ACC) was established¹ to provide for the fullest development and coordination of aviation policies and activities of Federal agencies.

¹ Executive Order 9781, 11 F.R. 10645; amended by Executive Orders 10360, June 11, 1952, and 10655, Jan. 28, 1965.

Its membership included representatives from the CAA, the CAB, the FCC, the three military departments, and other agencies. Thereafter, all applications requiring special aeronautical study were submitted by the FCC to the Airspace Panel of the ACC. When the Airspace Panel advised the Commission that it could not unanimously determine that a proposed antenna tower structure would not be a menace to air navigation, the Commission would designate the application for formal adjudicatory hearing. On December 13, 1950, the Commission adopted Part 17 of its rules, dealing with the construction, marking and lighting of antenna structures,² and a special branch was established within the Commission to study applications to determine possible menace to air navigation created and to refer questionable problems to the Air Coordinating Committee for special aeronautical study.

3. As the use of airplanes accelerated, dissatisfaction was felt with the diffused authority of the Air Coordinating Committee, and the Federal Aviation Administration (FAA) was created in 1958³ for the purpose of, among other things, overseeing the safe and efficient use of navigable airspace. The ACC was dissolved and its functions assumed by the FAA. Since its creation, the FAA and the FCC have worked closely together in considering antenna proposals. Part 77 of the FAA Regulations⁴ sets forth standards for determining obstructions in navigable airspace and the requirements for notice to the Administrator of certain proposed construction or alteration; provides for aeronautical studies of obstructions to air navigation to determine their effect on the safe and efficient use of airspace, for public hearings on the hazardous effect of proposed construction or alteration in air navigation, and for establishing antenna farm areas. Part 17 of the FCC rules and regulations⁵ prescribes certain procedures and standards, developed in conjunction with the FAA, with respect to the Commission's consideration of proposed antenna structures, which serve as a guide to persons intending to apply for radio station licenses. Section 17.4(e) specifically provides that when a report disapproving a proposed antenna structure is received from the FAA, the Commission will take such further action as might be appropriate. As a matter of practice the Commission considers the FAA report, as well as other public interest factors and, unless the matter is resolved through informal procedures, it is designated for an adjudicatory hearing governed by the provisions of the Communications Act and the Adminis-

trative Procedure Act⁶ before the application is granted or denied.

4. Despite this coordination between the FAA and the FCC, increasingly complex problems are arising because of continuing aeronautical changes and the increasing number of aircraft of varying types coupled with the increase in the number and height of antenna towers, particularly in the broadcasting field. The impact upon aviation of a group of tall towers is obviously less and more easily accommodated by appropriate adjustments in aeronautical procedures than is the impact of several tall towers scattered at random. These factors caused the Commission to consider the advisability of the establishment of antenna farm areas where high antennas could be grouped. We were concerned not only with aeronautical safety but also with making it simpler for the aviation industry to adjust their flight requirements to accommodate greater antenna heights than might be possible if antennas were not grouped. The Commission does not expect that the major problems will be entirely eliminated, but with the establishment of antenna farm areas they can be reduced for both the users of radio communications and of air transportation.

5. In light of the foregoing, the Commission proposed in the instant proceeding to amend its rules as follows:

(a) To provide procedures for the designation by the FCC of antenna farm areas for communities. This does not mean, however, that the denial of a petition for the establishment of a specific antenna farm area would preclude the petitioner from filing an application for a construction permit to erect a tower at the location where the antenna farm would have been. If such an application is filed, all matters affecting the public interest will be fully considered before the Commission reaches its decision whether to grant it or deny it;

(b) Where an antenna farm area or areas have been designated for a community, to require an applicant for a structure above 1,000 feet in height to locate in the area or secure a statement from the FAA that the tower will not constitute a menace to air navigation. This provision would not preclude an applicant who cannot locate in the farm or secure such a statement from filing an application with a request for waiver of the rule. The reasons given will be fully considered by the Commission to determine whether or not they justify such a waiver;

(c) To require special aeronautical study for all towers 500 feet or more above ground unless they locate in a designated antenna farm;

(d) If the FCC determines that the public interest would be served by the location of an antenna structure in a designated antenna farm area which would result in mileage separations less than those required in the rules, FM and TV broadcast station permittees and licensees shall be afforded protection from interference equivalent to the protection afforded by the minimum mileage separations specified in the rules.

⁶ 60 Stat. 237; 5 U.S.C. 501-511.

6. Comments were received from groups on behalf of the broadcasting industry, including the American Broadcasting Co., the National Association of Broadcasters (NAB), the National Association of Educational Broadcasters (NAEB), the Federal Communications Bar Association (FCBA), the Association of Federal Communications Consulting Engineers, A. Earl Cullum, Jr. and Associates, and the Association of Maximum Service Telecasters (MST), as well as several individual broadcasters. RCA Communications, Inc. (RCAC), a common carrier operating in the International Fixed Public Service, also commented. On behalf of the aviation industry, the Aircraft Owners and Pilots Association, the Airport Association, and the National Business Air Association participated in this proceeding. Most of the comments supported the concept of antenna farms, but those filed by broadcasters or broadcasting groups objected to various provisions of the proposed rule.

Abdication of Commission's responsibility. 7. The most serious objections are based on allegations that adoption of the rule as proposed would constitute an abdication of the Commission's statutory responsibility. The FCBA cited section 1 of the Communications Act, 47 U.S.C. section 151, which states that the Communications Act is " * * * [F]or the purpose of regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all the people of the United States a rapid, efficient, nationwide, and world-wide wire and radio communication service with adequate facilities * * *". The purpose of the statute is further defined in section 303 of the Communications Act enumerating the general powers of the Commission, including specifically to "[D]etermine the location of classes of stations or individual stations", 47 U.S.C. section 303 (d), and to "[H]ave authority to require the painting and/or illumination of radio towers if and when in its judgment such towers constitute, or there is a reasonable possibility that they may constitute, a menace to air navigation," 47 U.S.C. section 303(q). MST pointed out that the power to prescribe the location and height of antenna towers is absolutely essential to the FCC's functions and to the proper discharge of its duties under sections 1, 2, 301, 303, 307, 308, 309, and 319 of the Communications Act of 1934. It is the contention, vigorously argued by NAB, the FCBA and MST, that the proposed rule constitutes an abdication of authority conferred upon the Commission by Congress and is therefore fatally defective.

8. The specific sections of the rules⁷ concerning which this allegation is made are the following:

⁷ As pointed out in footnote 5 supra, we have outstanding a proceeding to amend Part 17 of our rules. For the sake of clarity, we will refer in this order to the section numbers used in the notice of proposed rule making issued in the antenna farm proceeding, but immediately following such number, we will place in parentheses the section number as it will appear in amended Part 17.

² Report and order, 16 P.R. 86; 17 FCC Annual Report 138 (1951).

³ Federal Aviation Act of 1958, 72 Stat. 331, 49 U.S.C. 301.

⁴ 14 CFR Part 77, revised May 1, 1965.

⁵ 47 CFR 17.21-17.45. On Feb. 25, 1966, the FCC issued a notice proposing to amend Part 17 of its rules, published in the FEDERAL REGISTER Mar. 2, 1966, 31 P.R. 3302. However, the changes proposed therein do not pertain to the establishment of antenna farms and have no bearing on this proceeding.

(a) Proposed § 17.18 (17.8) would provide that proceedings to designate an antenna farm will not be instituted by the FCC if the FAA advises the Commission in writing for stated reasons that establishment of the proposed antenna farm would constitute a menace to air navigation. The parties argued that there is no provision that FAA's "stated reasons" be valid or persuasive, no provision is made for the weighing of other relevant public interest considerations and the mere giving of a statement by the FAA and its refusal to "acquiesce" would suffice to thwart any particular proposal that an antenna farm area be designated. MST claimed that FAA's "stated reasons" for opposing individual tower proposals often relate to factors of convenience that have little, if anything, to do with safety.

(b) Proposed §§ 1.61(g) and 17.10 would provide that, if an antenna farm area is designated for a particular community, applications proposing antenna structures over 1,000 feet above ground to serve such community will not be accepted for filing unless they specify sites in the antenna farm or are accompanied by a statement from the FAA that the proposed structures at the proposed sites outside of the farm will not constitute a menace to air navigation. FCBA argued similarly that there is no requirement that the FAA give any reason for withholding such a statement, no provision is made for a weighing of other relevant public interest factors, except upon a petition for waiver of the rule, and that the net effect of the proposed rule is that antenna farm designations would be subject to FAA veto.

9. Certainly Congress has lodged in the Federal Communications Commission authority over facilities subject to its licensing jurisdiction, including the height and location of antennas and their supporting tower structures. Both before and after the establishment of the FAA, the Commission has designated broadcast applications for hearing to determine whether a proposed tower would constitute a menace to air navigation. The Federal Communications Commission has consistently maintained that it has the ultimate responsibility to determine whether the public interest would be served by construction of any specific antenna tower. This jurisdiction has been recognized by the courts, the FAA, and the Congressional committees responsible for legislation in this area. The Commission has continually exercised its jurisdiction and has no intention of relinquishing it.

10. As stated above, the parties are concerned that rule making will not be instituted if the FAA advises the Commission the proposal would constitute a menace to air navigation and it is claimed that this gives the FAA veto authority over a matter within the jurisdiction of the FCC. First, we emphasize that the rule provides that the Commission will not institute rule making if the FAA advises the Commission stating its reasons in terms of air safety considerations that the establishment of the

proposed antenna farm will constitute a menace to air navigation. Further, while the Commission would have authority to proceed with the rule making despite FAA's stated reasons regarding a menace to air navigation, no practical purpose would be served by such a course, for we are convinced that the successful establishment of antenna farms is dependent upon agreement between the two agencies.⁸ If the FAA raises valid objections, the question is one which should be resolved in adjudicatory proceedings held by this Commission on individual applications, as has been our practice in the past, rather than through rule making procedures. If the antenna site is proposed by the FAA, the Commission will determine whether it conforms to FCC rules and standards and will decide whether or not rule making should be instituted. Thus, the FCC is not abdicating its authority nor are the ultimate rights of any party affected.

11. Although the rule, as proposed, specifically provides that such proceedings might be commenced by the Commission on its own motion after consultation with the FAA, and, although section 4(d) of the Administrative Procedure Act permits any interested person to petition for the issuance of a rule and requires the reception and consideration by the agency of such petition,⁹ several parties commenting expressed concern that the Commission might not initiate an antenna farm proceeding upon the petition of an interested party. The Commission, will, of course, consider petitions for rule making to establish antenna farm areas, whether or not they are suggested by the FAA or by any interested persons. Therefore, to make our intent perfectly clear, we are amending the first sentence of proposed § 17.18 (b) (17.8(a)) to read as follows:

(b) Each antenna farm area will be established by appropriate rule making proceedings, which may be commenced by the Commission on its own motion after consultation with the FAA, upon request of the FAA, or as a result of a petition filed by any interested person.

Where the antenna farm is proposed by some person other than the FCC or the FAA, and where the Commission determines that the petition discloses sufficient reasons in support of the action sought to justify the institution of a rule making proceeding, the determination of the FAA as to menace to air navigation will be requested. If the findings are favorable, the proceeding will be started. If the finding is adverse and the reasons stated by the FAA are that antenna supporting structures at the proposed farm would constitute a menace, the Commis-

⁸ In this regard, we note that the FAA rules similarly provide that antenna farms will not be established by FAA where this Commission "advises that the establishment of any proposed antenna farm area would interfere with its statutory responsibilities", 14 CFR 77.73(b).

⁹ Attorney General's Manual on the Administrative Procedure Act, 1947, p. 38.

sion will examine such reasons and, if they in fact go to air safety, will deny the petition for rule making with a statement setting forth fully the grounds for denial required by section 4(d) of the Administrative Procedure Act. The mere filing of a petition does not require the FCC to grant it or hold a hearing or engage in any public rule making proceedings.¹⁰ Furthermore, the determination of the FAA that such an antenna farm would be a menace to air navigation will not have adjudicated the rights of any person since petitioner is returned to the status quo ante with all the rights he had without the "antenna farm rule".

12. Another objection made by the parties is that the findings of the FAA are often based on existing aeronautical factors and aeronautical convenience rather than on "menace". The objectors claim that the FAA has declared proposed towers to be a menace to air navigation simply because of the effect the structure would have on existing aeronautical activity. Again we emphasize that an adverse determination by the FAA must be supported by stated reasons and we will examine such reasons most carefully to satisfy ourselves that they in fact concern air safety. Our rule is grounded on a consideration of menace to air navigation and not merely matters of convenience to aeronautical interests.¹¹ However, where it appears that the FAA finding is validly supported, we will deny the request for rule making, fully setting forth our reasons therefor.

13. Nor do proposed §§ 1.61 or 17.10 deprive any person of his rights. Under these sections, if an antenna farm area is designated for a particular community, applications proposing antenna structures over 1,000 feet in height above ground to serve such community generally will not be accepted for filing unless they specify sites in the antenna farm or are accompanied by a statement from the FAA that the proposed structure will not constitute a menace to air navigation. The rule does not preclude an applicant who cannot locate in the farm or secure the required statement from filing his application for an antenna structure over 1,000 feet in height, together with a request for waiver of this rule. If the request sets forth reasons, sufficient if true, to justify such a waiver, the applicant will be accorded a full hearing in accordance with section 309 of the Communications Act. See *United States et al. v. Storer Broadcasting Co.*, 351 U.S. 192. In each case that comes before it, the FCC must still exercise an ultimate judgment whether the grant of the application would serve the public interest.

¹⁰ *Id.* at 128.

¹¹ In this connection, we note that the FAA rules provide that: "In considering proposals for establishing antenna farm areas, it considers as far as possible the revision of aeronautical procedures and operations to accommodate antenna structures that will fulfill broadcasting requirements" (14 CFR 77.71(b)).

Definition of antenna farm area. 14. Another objection made by the parties is to the definition of an "antenna farm" which we proposed to define " * * * as a geographical location, with established boundaries, designated by the FCC, in which antenna towers with a common impact on aviation may be grouped," with no determination of allowable height to be included. Several of the parties urged that an established antenna farm should permit towers of the maximum height permitted by the Commission's rules to meet the need for adequate transmitting antenna heights required for an effective nationwide system of broadcasting. MST asserted that in exchange for grouping towers in a relatively small sector of the navigable airspace, broadcasters should be able to secure maximum, or close to maximum, tower heights in these areas and that tall towers are necessary for a commercial station to serve the public well in its designated community and market areas, and especially important for stations in smaller cities and less densely populated areas, which must reach beyond their home communities to obtain sufficient audience to assure the economic support justifying continued operation. MST also argued that adequate tower height is vital for educational television systems to reach the maximum population with as few stations as possible and that tall towers have special importance for UHF stations, both commercial and educational, since successful UHF service is especially dependent upon well-elevated transmitting antennas providing line-of-sight paths to home and school receivers. We fully anticipate that we will be able to authorize broadcast towers of greater height through establishment of antenna farm areas than would be possible if antennas were scattered. Whether maximum height can always be achieved in every antenna farm established can only be determined on a case-by-case basis as each farm will undoubtedly present different problems.

15. MST also indicated its special concern with our proposed amendment of § 73.612. This section of our rules provides the nature and extent of protection from interference accorded to television broadcast stations, which is limited solely to the protection which results from the minimum assignment and station separation requirements and the rules and regulations with respect to maximum powers and antenna heights. We had stated in our notice that we might on occasion have to sanction a minor spacing less than that provided in the rules to accommodate a particular antenna structure in a designated antenna farm area "because of very special and overwhelming public interest considerations * * *". But we went on to say that if a minor short-spacing is authorized, it will be "only on the basis of equivalent protection" and for this reason we proposed to amend § 73.209 (pertaining to FM stations) and § 73.612 (pertaining to TV stations) of our rules to require such protection. MST contended that implementation of this provision will threaten degradation of the mileage separations

and the overall allocations system and result in destructive and degrading interference to television service to the public. MST is particularly concerned with the possibility that the FAA will advise the FCC to waive its engineering standards to locate the antenna farm in the area desired by FAA to avoid any change in aeronautical procedures and habits.

16. The concern of MST about advice from the FAA determining the course of our actions is not justified. We reject the suggestion by MST and others that the Commission will not give fair and impartial consideration to all aspects of the public interest, including the spacing requirements of our rules, simply because the FAA may indicate that a certain area is not convenient from its point of view. The Commission cannot emphasize too strongly its intention to maintain the mileage separation requirements of § 73.612 and to establish antenna farms which will accommodate all assigned channels without deviations from the standard separations. If it should be impossible, however, to establish an antenna farm or farms for a particular community that will accommodate the antenna structures for all assigned channels consistent with all mileage separation requirements, the establishment of antenna farms under these circumstances does not mean that the Commission will approve mileage shortages to accommodate a particular applicant to locate in such a farm, unless the public interest so indicates. However, if extraordinary reasons of aeronautical safety indicate that a particular antenna structure should be located within the antenna farm, the Commission may authorize a short spacing to accommodate a particular antenna. Such an action will not be considered as a justification for the filing of other requests for short separations.

17. MST also attacked the equivalent protection concept which we adopted in Docket No. 13340, a rule making proceeding to consider the advisability of waiving mileage separation requirements in appropriate cases so as to alleviate the shortage of VHF stations in some large cities. In 1961, we adopted a report and order and a supplement thereto¹² requiring that a new TV station authorized to operate at less than our standard minimum separations on the same channel as an existing station, would be required to suppress radiation in the direction of the existing station to the extent of providing protection equivalent to that which the existing station would enjoy if the new station were operating with full power and antenna height at the standard minimum separation, and setting forth the standards to be followed in fixing "equivalent protection" for VHF co-channel stations. MST asserted that this concept was adopted only for the limited purposes of the "drop-in" cases in Docket No. 13340 and should not be used in the antenna farm proceedings. MST's argu-

¹² Interim Policy on VHF TV Channel Assignments, Docket No. 13340, 21 Pike & Fischer, R.R. 1699, released Aug. 3, 1961; and 21 Pike & Fischer, R.R. 1709, released Oct. 9, 1961.

ments against the "equivalent protection concept" have been considered by this Commission in Docket 13340, and in subsequent proceedings. After completion of the rule making in Docket 16004,¹³ in which we expect to adopt curves and procedures for FM and TV broadcasting stations to be used for calculation of equivalent protection, we will issue an order outlining the procedure to be followed in determining equivalent protection for FM cochannel and adjacent channel stations and for VHF and UHF cochannel stations. As far as the VHF adjacent channels, the UHF adjacent channels and "taboos", and the FM second and third adjacencies are concerned, these matters will be considered on an ad hoc basis if and when problems arise.

Requests for exemption from the rule. 18. The National Association of Educational Broadcasters requested that non-commercial educational television stations either be exempted from the rule, or that provision for waiver be included in the rule to permit applicants to make waiver showings based upon educational broadcast considerations. NAEB pointed out that antenna farm sites may often be chosen with principal city coverage as the dominant criterion. However, educational television stations seek to serve not only the major metropolitan areas but the rural areas as well and may wish to locate their antenna structures outside city limits to serve rural areas more effectively, to locate in a university town, or as part of a network to cover the entire State. The Commission recognizes that the reason for location of an antenna structure by a commercial broadcaster may be very different from that of the educational broadcasters. However, it does not appear that the requested exemption from the rule is necessary or advisable. If the educational applicant believes it would not be in the public interest to locate in an antenna farm, it may file its application with a request for waiver of the rule. Consideration will be given to such a request by the Commission in the light of the special circumstances surrounding such an application.

19. RCA Communications, Inc., a common carrier operating a number of radio stations in the International Fixed Public Service, is of the view that the Commission does not intend the new rules to apply to services other than broadcasting. This is erroneous and the Commission wishes to correct this impression. The antenna farm rule will apply to all applications for new or changed facilities proposing the erection of any antenna structure over 1,000 feet above the ground. Again, however, if there are special circumstances, requests for waiver of the rule may be filed and will be given careful consideration by the Commission.

Commission decision. 20. We have carefully considered all the comments and data filed and the various suggestions made in these pleadings and have

¹³ Field Strength Curves for FM and TV Broadcast Stations, Notice of Proposed Rule Making, FCC 65-383, released May 10, 1965.

concluded that adoption of the antenna farm rule substantially as proposed would serve the public interest. The grouping of tall towers in antenna farms will reduce the potential menace to air navigation and will enable the aviation industry to more easily adjust aeronautical procedures to accommodate greater antenna heights than would be possible if antennas were scattered. Thus, with the establishment of antenna farm areas, we expect to be able to authorize towers of greater height than would otherwise be possible and minimize the need for protracted hearings on applications for tall towers. The authorization of taller towers, particularly in television broadcasting, will benefit the communications industry and the viewing public by improving the service now being rendered and by increasing the areas which will receive new service. The designation and implementation of antenna farm areas will enable the Commission to carry out more fully its statutory responsibility to make available as far as possible to all of the people of the United States a rapid, efficient, nationwide communications service.

21. The Federal Communications Commission will establish an antenna farm or farms for a community, which will consist of specific geographic locations with definite boundaries in which antenna towers with a common impact on aviation may be grouped. The permissible height of antenna towers in such farms will be determined on a case-by-case basis because of the varying circumstances which will surround the establishment of any such farm. We have the assurance of the Federal Aviation Administration that it will give consideration to the highest antenna heights possible and we will work with that agency to the end that we may better effectuate our statutory responsibilities.

22. The Commission will establish, wherever possible, an antenna farm of sufficient size to permit the antenna structures for all stations on channels, present or proposed, assigned to a community to be located in such farm and will determine on a case-by-case basis whether more than one farm should be designated for any community.

23. The provisions of the antenna farm rule will apply to applications for new or modified facilities, including proposals to move antenna towers, where the proposed height exceeds 1,000 feet above ground. Existing licensees will not be required to move to an antenna farm, but will be permitted to do so if their applications would comply with the Commission's rules.

24. In our notice, we had proposed an amendment to § 17.11 of our present rules which would have provided that proposals for antenna structures over 500 feet in height to be located in a community where an antenna farm area had been designated should be located in such farm or should require special aeronautical study. However, as noted, we have initiated a rule making proceeding to amend Part 17 of our rules, which renders this section unnecessary and it will be deleted.

25. Several of the parties have requested oral argument. The Commission is of the opinion that the views of all interested parties have been adequately presented and that oral argument in this proceeding would serve no useful purpose. The requests for oral argument are therefore denied.

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

27. In view of the foregoing: *It is ordered*, That effective July 24, 1967, Parts 1, 17, and 73 of the Commission's rules and regulations are amended as set forth below.

28. *It is further ordered*, That this proceeding is terminated.

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

FEDERAL COMMUNICATIONS
COMMISSION,¹⁴

[SEAL] BEN F. WAPLE,
Secretary.

Parts 1, 17, and 73 of the Commission rules are amended as follows:

PART 1—PRACTICE AND PROCEDURE

1. Section 1.61 is amended by adding a new paragraph (g) as follows:

§ 1.61 Procedures for handling applications requiring special aeronautical study.

(g) Where one or more antenna farm areas have been designated for a community or communities (see § 17.9 of this chapter), an application for a construction permit proposing the erection of an antenna structure over 1,000 feet in height above ground to serve such community or communities will not be accepted for filing unless:

(1) It is proposed to locate the antenna structure in a designated antenna farm area, or

(2) It is accompanied by a statement from the Federal Aviation Administration that the proposed structure will not constitute a menace to air navigation, or

(3) It is accompanied by a request for waiver setting forth reasons sufficient, if true, to justify such a waiver.

PART 17—CONSTRUCTION, MARKING, AND LIGHTING OF ANTENNA STRUCTURES

2. Section 17.2 is amended by adding a new paragraph (c) as follows:

§ 17.2 Definitions.

(c) An antenna farm area is defined as a geographical location, with established boundaries, designated by the Federal Communications Commission, in which antenna towers with a common impact on aviation may be grouped.

¹⁴ Commissioner Lee dissenting; Commissioner Wadsworth absent.

3. Part 17, Subpart B, is amended by adding new §§ 17.8, 17.9, and 17.10 to read as follows:

§ 17.8 Establishment of antenna farm areas.

(a) Each antenna farm area will be established by appropriate rule making proceedings, which may be commenced by the Commission on its own motion after consultation with the FAA, upon request of the FAA, or as a result of a petition filed by any interested person. If the FAA advises the Commission in writing stating its reasons in terms of air safety considerations that establishment of the proposed antenna farm would constitute a menace to air navigation, rule making proceedings will not be instituted. Any person filing comments in the Commission's rule making proceeding which concern the question of whether the proposed antenna farm will constitute a menace to air navigation shall file a copy of the comments with the Administrator of the FAA. Proof of such filing shall be established in accordance with § 1.47 of this chapter.

(b) Nothing in this subpart shall be construed to mean that only one antenna farm area will be designated for a community. The Commission will consider on a case-by-case basis whether or not more than one antenna farm area shall be designated for a particular community.

§ 17.9 Designated antenna farm areas.

The areas described in the following paragraphs of this section are established as antenna farm areas: [appropriate paragraphs will be added as necessary].

§ 17.10 Antenna structures over 1,000 feet in height.

Where one or more antenna farm areas have been designated for a community or communities (see § 17.9), the Commission will not accept for filing an application for a construction permit to construct a new station or to increase height or change antenna location of an existing station proposing the erection of an antenna structure over 1,000 feet above ground unless:

(a) It is proposed to locate the antenna structure in a designated antenna farm area, or

(b) It is accompanied by a statement from the Federal Aviation Administration that the proposed structure will not constitute a menace to air navigation, or

(c) It is accompanied by a request for waiver setting forth reasons sufficient, if true, to justify such a waiver.

PART 73—RADIO BROADCAST SERVICES

4. Section 73.209 is amended by adding a new paragraph (c) as follows:

§ 73.209 Protection from interference.

(c) When the Commission determines that grant of an application would serve the public interest, convenience, and ne-

cessity and the instrument of authorization specifies an antenna location in a designated antenna farm area which results in mileage separations less than those specified in this subpart, FM broadcast station permittees and licensees shall be afforded protection from interference equivalent to the protection afforded under the minimum mileage separations specified in this subpart.

5. Section 73.612 is amended by designating the present text preceding the note as paragraph (a) and adding a new paragraph (b) before the note as follows:

§ 73.612 Protection from interference.

(a) * * *

(b) When the Commission determines that grant of an application would serve the public interest, convenience, and necessity and the instrument of authorization specifies an antenna location in a designated antenna farm area which results in mileage separation less than those specified in this subpart, TV broadcast station permittees and licensees shall be afforded protection from interference equivalent to the protection afforded under the minimum mileage separations specified in this subpart.

[F.R. Doc. 67-6982; Filed, June 20, 1967; 8:50 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 20,663]

PART 545—OPERATIONS

Bonus Accounts

JUNE 15, 1967.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amending § 545.3 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3) relating to bonus accounts, to permit Federal savings and loan associations to pay bonuses of up to three-fourths of 1 percent on certain accounts and for the purpose of effecting such amendment, hereby amends § 545.3 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3) by revising subparagraph (5) of paragraph (b) of said section to read as follows, effective July 1, 1967:

§ 545.3 Bonus on monthly-payment and fixed-balance accounts.

(b) *Fixed-balance accounts.* * * *

(5) A Federal association may offer more than one bonus plan pursuant to this paragraph at any one time, but the board of directors may not fix a bonus

rate in excess of three-quarters percent per annum for any such plan;

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, since affording notice and public procedure on the above amendment would prevent the amendment from becoming effective at the beginning of the next distribution period, the Board hereby finds that notice and public procedure on said amendment are contrary to the public interest under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board or 5 U.S.C. 553(b), and publication of said amendment for the period specified in § 508.14 of the general regulations of the Federal Home Loan Bank Board and 5 U.S.C. 553(d) prior to the effective date of said amendment would in the opinion of the Board likewise be contrary to the public interest for the same reason and the Board hereby so finds, and the Board hereby provides that said amendment shall become effective as hereinabove set forth.

By the Federal Home Loan Bank Board.

[SEAL]

HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 67-6980; Filed, June 20, 1967; 8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart F—Listing of Color Additives for Drug Use Exempt From Certification

CONFIRMATION OF EFFECTIVE DATE OF ORDER REGARDING ALUMINA (DRIED ALUMINUM HYDROXIDE), CALCIUM CARBONATE, AND TALC

In the matter of establishing regulations listing for drug use and exempting from certification the color additives alumina (dried aluminum hydroxide), calcium carbonate, and talc:

1. Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of May 2, 1967 (32 F.R. 6685). Accordingly, the amendments promulgated by that order will become effective July 1, 1967.

2. Effective July 1, 1967, § 8.501 *Provisional lists of color additives* is amend-

ed by deleting from the table in paragraph (f) the items "Alumina," "Calcium carbonate," and "Talc."

(Sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d))

Dated: June 13, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6961; Filed, June 20, 1967; 8:48 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 14—CACAO PRODUCTS

Milk Chocolate and Vegetable Fat (Other Than Cacao Fat) Coating; Sweet Chocolate and Vegetable Fat (Other Than Cacao Fat) Coating; Standards of Identity

In the matter of establishing a definition and standard of identity for milk chocolate and vegetable fat (other than cacao fat) coating, § 14.13; and amending the identity standard for sweet chocolate and vegetable fat (other than cacao fat) coating, § 14.11, by deleting therefrom paragraph (a) (2):

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of March 15, 1967 (32 F.R. 4075), based on a petition filed by the International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C. 20006, and all nine comments received in response to the proposal recommended its adoption.

Based on consideration of the petition, the comments filed, and other relevant information, it is concluded that it will promote honesty and fair dealing in the interest of consumers to adopt the amendments as proposed.

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120): It is ordered, That Part 14 be amended as set forth below.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied

by a memorandum or brief in support thereof. All documents shall be submitted in six copies.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

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

Dated: June 14, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

Part 14 is amended:

1. By revising § 14.11(a) to read as follows:

§ 14.11 Sweet chocolate and vegetable fat (other than cacao fat) coating; identity; label statement of optional ingredients.

(a) Sweet chocolate and vegetable fat (other than cacao fat) coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed by § 14.6, except that in its preparation is added one or any combination of two or more vegetable food oils or vegetable food fats, other than cacao fat, which oil, fat, or combination may be hydrogenated and which has a melting point lower than that of cacao fat.

2. By adding thereto the following new section:

§ 14.13 Milk chocolate and vegetable fat (other than cacao fat) coating, sweet milk chocolate and vegetable fat (other than cacao fat) coating; identity; label statement of optional ingredients.

(a) Milk chocolate and vegetable fat (other than cacao fat) coating, sweet milk chocolate and vegetable fat (other than cacao fat) coating conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for milk chocolate by § 14.7, except that in its preparation is added one or any combination of two or more vegetable food oils or vegetable food fats, other than cacao fat, which oil, fat, or combination may be hydrogenated and which has a melting point lower than that of cacao fat.

(b) The provisions of this section shall not be construed as applicable to any article by reason of the addition thereto of a vegetable food fat other than cacao fat as a carrier of emulsifying ingredients, as authorized and within the limits prescribed by § 14.7(a).

[F.R. Doc. 67-6962; Filed, June 20, 1967; 8:48 a.m.]

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

Subpart B—Procedural Regulations

FEES

The procedural pesticide regulations are amended as follows to revise the limit on cost for advisory committees. Accordingly, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 408, 701 (a), 52 Stat. 1055, 68 Stat. 511; 21 U.S.C. 346a, 371(a)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), § 120.33(d) (2) is revised to read as follows:

§ 120.33 Fees.

- (1) * * *
- (2) Costs of the advisory committee shall include compensation for experts as provided in § 120.11(c) and the expenses of the secretariat, including the costs of duplicating petitions and other related material referred to the committee.

This order amends a procedural regulation to effect consistency with existing requirements; therefore, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

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

(Secs. 400, 701(a), 52 Stat. 1055, 68 Stat. 511; 21 U.S.C. 346a, 371(a))

Dated: June 13, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6964; Filed, June 20, 1967; 8:48 a.m.]

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

Specific Tolerances; General Provisions

Section 120.101(c) lists several pesticides that should not remain on raw agricultural commodities as prepared for market; however, since its promulgation safe tolerances have been established for residues of calcium cyanide (§ 120.125) and hydrogen cyanide (§ 120.130) to permit their use in postharvest fumigation of certain commodities. Also, uses for several of the pesticides listed in § 120.101 (c) are currently registered by the U.S.

Department of Agriculture on a "no residue" basis.

Strictly construed, § 120.101(c) would preclude conversion of these uses to a tolerance basis as contemplated by the statement regarding "Implementation of Report on No Residue and Zero Tolerance" published by the Secretaries of Agriculture and Health, Education, and Welfare in the FEDERAL REGISTER of April 13, 1966 (31 F.R. 5723). In addition, § 120.101(c) presently serves no useful purpose since no residues of any poisonous or deleterious substance should remain in or on a raw agricultural commodity unless provided for by a tolerance or exemption from a tolerance in Part 120. Accordingly, the Commissioner of Food and Drugs has concluded that § 120.101(c) should be revoked.

Section 120.101(d) states that tolerances are not needed for those pesticides applied only to the foliage of potatoes and sweetpotatoes if they are not translocated to the tubers; however, most of the recent analytical data show that even though applied only to the foliage pesticides are present in the soil and are thus found in or on the tubers. Therefore, the Commissioner has concluded that 120.101(d) should be revoked.

The Food and Drug Administration has compiled and published a manual of pesticide analytical methods for the determination of pesticide residues in raw agricultural commodities. References to methods published in the Official Methods of Analysis of the Association of Official Analytical (formerly Agricultural) Chemists and in scientific journals are included in the manual. The Commissioner finds that guidance should be provided in the regulations regarding the methodology to be used for determining whether or not raw agricultural commodities comply with tolerances for pesticide residues established in Part 120 by including in § 120.101 a reference to said manual.

Therefore, under the authority provided in the Federal Food, Drug, and Cosmetic Act (sec. 408, 68 Stat. 511; 21 U.S.C. 346a) and delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 120.101 is amended by revoking paragraphs (c) and (d) and by adding a new paragraph (c), as follows:

§ 120.101 Specific tolerances; general provisions.

(c) The analytical methods to be used for determining whether pesticide residues, including negligible residues, in or on raw agricultural commodities are in compliance with the tolerances established in this Part 120 are identified among the methods contained or referenced in the Food and Drug Administration's "Pesticide Analytical Manual" which is available from the Food and Drug Administration, Department of Health, Education, and Welfare, 200 C Street SW., Washington, D.C. 20204.

(d) [Revoked]

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

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

Dated: June 14, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6965; Filed, June 20, 1967;
8:48 a.m.]

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

2-chloro-N-isopropylacetanilide

A petition (PP 7F0553) was filed with the Food and Drug Administration by Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, proposing the establishment of tolerances for residues of N-isopropylaniline from the use of the herbicide 2-chloro-N-isopropylacetanilide in or on sugarbeet tops at 1 part per million and in or on sugarbeet roots at 0.2 part per million.

The Secretary of Agriculture has certified that this herbicide is useful for the purpose for which the tolerances are being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner (21 CFR 2.120), § 120.211 is revised to read as follows:

§ 120.211 2-chloro-N-isopropylacetanilide; tolerances for residues.

Tolerances for residues of the herbicide 2-chloro-N-isopropylacetanilide and

its metabolites (calculated as 2-chloro-N-isopropylacetanilide) in or on raw agricultural commodities are established as follows:

1 part per million in or on sugarbeet tops.

0.2 part per million in or on sugarbeet roots.

0.1 part per million in or on cottonseed, sweet corn (kernels plus cobs with husks removed).

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

.....
2-Stearamido-ethyl stearate.....
.....

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

Dated: June 14, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6963; Filed, June 20, 1967;
8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

CELLOPHANE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5B1542) filed by Transparent Paper Limited, Bridge Hall Mills, Heap Bridge, Bury, Lancashire, England, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of 2-stearamido-ethyl stearate as an optional component of cellophane for food-packaging use. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.2507(c) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2507 Cellophane.

(c) List of substances:

.....
Limitations (residue and limits of addition
expressed as percent by weight of finished
packaging cellophane)
.....

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348
(c)(1))

Dated: June 13, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6967; Filed, June 20, 1967;
8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

POLYURETHANE RESINS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B2050) filed by I.C.I. (Organics) Inc., 55 Canal Street, Providence, R.I. 02901, and other relevant material, has concluded that the food additive regulations should be amended to provide for use of polyethyleneadipate modified with

ethanolamine as an optional substance in the formulation of polyurethane resins for use in food-packaging adhesives and for use as the surface of articles that contact dry, bulk food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended in the following respects:

1. Section 121.2520(c)(5) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2520 Adhesives.

COMPONENTS OF ADHESIVES	
Substances	Limitations
Polyethylene adipate modified with ethanolamine with the molar ratio of the amine to the adipic acid less than 0.1 to 1.	For use only in the preparation of polyurethane resins.

2. Section 121.2522(a)(2) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2522 Polyurethane resins.

(a)	(2) List of substances:
Polyethylenedipate modified with ethanolamine with the molar ratio of the amine to the adipic acid less than 0.1 to 1.	

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied

by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 13, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6968; Filed, June 20, 1967; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ANTISTATIC AND/OR ANTIFOGGING AGENTS IN FOOD-PACKAGING MATERIALS

The Commissioner of Food and Drugs, having evaluated the data in a petition (PAP 7B2130) filed by Geigy Industrial Chemicals, Division of Geigy Chemical Corp., Post Office Box 430, Yonkers, N.Y. 10702, and other relevant material, has concluded that § 121.2527 of the food

additive regulations should be amended to provide for the additional safe use of *N*-acyl sarcosines as antistatic and/or antifogging agents in ethylene-vinyl acetate copolymer film used for packaging meats, fresh vegetables, and fresh fruits. The Commissioner also concludes that the existing thickness limitation for such film used for packaging dry food is unnecessary and should be deleted and that the reference to polysorbate 80 should also be deleted from the section since its listing in § 121.2541(c) provides for its contemplated use.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.2527 (b) is amended by deleting therefrom the item "Polysorbate 80 conforming . . ." and by revising limitation No. 2 for the item "*N*-Acyl sarcosines . . ." to read as follows:

§ 121.2527 Antistatic and/or antifogging agents in food-packaging materials.

(b) List of substances:

Limitations	
1.	
2. As antistatic and/or antifogging agents at levels not to exceed a total of 0.15 percent by weight of ethylene-vinyl acetate copolymer film complying with § 121.2570 and used for packaging meat, fresh fruits, fresh vegetables, and dry food of type VIII described in table 1 of § 121.2526(c). The average thickness of such ethylene-vinyl acetate copolymer film shall not exceed 0.003 inch when used for packaging meat, fresh fruits, and fresh vegetables.	

N-Acyl sarcosines where the acyl group is lauroyl, oleoyl, or derived from the combined fatty acids of coconut oil.

For use only:

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are

supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 14, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6968; Filed, June 20, 1967; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 67-SO-11]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Huntsville, Ala., control zone and transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 18097, Memphis, Tenn. 38118. 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 Administration officials may be made by contacting the Chief, Air Traffic Branch. 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 new Huntsville-Madison County Airport and FAA Control Tower are scheduled to become operational during October 1967. These new facilities will replace the old Huntsville-Madison County Airport and FAA Control Tower. The retention of the terminal airspace for the old Huntsville-Madison County Airport is required until this airport is closed. Standard Instrument Approach Procedures, ADF/ILS/VOR, are proposed for the new Huntsville-Madison County Airport.

The Huntsville, Ala., control zone, described in § 71.171 (32 F.R. 2071), would be redesignated as:

Within a 5-mile radius of the new Huntsville-Madison County Airport (latitude 34°-38'19" N., longitude 86°46'25" W.); within 2 miles each side of the new Huntsville ILS localizer north course, extending from the 5-mile radius zone to 2.5 miles south of the Capshaw RBN; within 2 miles each side of the Huntsville VOR 220° radial, extending from the 5-mile radius zone to 7 miles southwest of the VOR; within 2 miles each side of the new Huntsville ILS localizer south course, extending from the 5-mile

radius zone to 5 miles south of the south end of Runway 36L; within 2 miles each side of the Decatur VOR 093° radial, extending from the 5-mile radius zone to 3 miles east of the VOR; within a 5-mile radius of the Redstone AAF (latitude 34°40'29" N., longitude 86°40'54" W.); within 2 miles each side of the 352° bearing from the Redstone RBN, extending from the 5-mile radius zone to 3 miles north of the RBN; within 2 miles each side of the 352° bearing from the Whitesburg RBN, extending from the 5-mile radius zone to 1 mile north of the RBN; within a 5-mile radius of the old Huntsville-Madison County Airport (latitude 34°41'18" N., longitude 86°35'20" W.); within 2 miles each side of the Huntsville VOR 160° radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the old Huntsville ILS localizer north course, extending from the 5-mile radius zone to 6 miles north of the airport; and within 3 miles north and 2 miles south of the extended centerline of Runway 5 extending from the 5-mile radius zone to a point 8.5 miles northeast of the airport.

The proposed additional control zone would provide controlled airspace protection for IFR aircraft during climb to 700 feet above the surface and during descent below 1,000 feet above the surface for aircraft executing instrument approaches to the new Huntsville-Madison County Airport.

The Huntsville, Ala., transition area, described in § 71.181 (32 F.R. 2148) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 15-mile radius of Redstone AAF (latitude 34°40'29" N., longitude 86°40'54" W.); within 2 miles each side of the 356° bearing from the Redstone RBN, extending from the 15-mile radius area to 11 miles north of the RBN; within 2 miles each side of the new Huntsville ILS localizer south course, extending from the 15-mile radius area to 14 miles south of the south end of runway 36L; within a 6-mile radius of Pryor Field (latitude 34°39'09.4" N., longitude 86°56'45.1" W.); within 8 miles west and 5 miles east of the Decatur VOR 352° radial, extending from the VOR to 12 miles north; within a 15-mile radius of latitude 34°40'00" N., longitude 86°37'30" W.; and that airspace extending upward from 1,200 feet above the surface within a 31-mile radius of latitude 34°46'30" N., longitude 86°36'30" W.

The proposed additional transition area would provide controlled airspace protection for IFR aircraft during descent from 1,500 to 1,000 feet above the surface and during climb from 700 to 1,200 feet above the surface at the new Huntsville-Madison County Airport.

When the old Huntsville-Madison County Airport is closed, the control zone and transition area will be altered to revoke the controlled airspace designated for that airport.

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

These amendments are proposed under the authority of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on June 12, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-6987; Filed, June 20, 1967;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-WE-31]

FEDERAL AIRWAY AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter a segment of V-198 and the Portal, Ariz., transition area.

V-198 is designated in part from San Simon, Ariz., 1,200 feet AGL INT San Simon 118° and Columbus, N. Mex., 277° True radials; 1,200 feet AGL Columbus. It is proposed to realign this segment of V-198 from San Simon 1,200 feet AGL direct to Columbus. This action would reduce the airway mileage between San Simon and Columbus.

If this action is taken, it would result in a small segment of uncontrolled airspace between the realigned V-198 and V-16 east of Portal, Ariz. To retain this airspace as control area for air traffic control purposes, it is proposed to include it in the Portal transition area which would be redesignated as follows:

That airspace extending upward from 1,200 feet above the surface within 13 miles north and 8 miles south of the Cochise, Ariz., VORTAC 096° True radial, extending from 20 miles east to 56 miles east of the VORTAC, and that airspace extending upward from 1,200 feet above the surface bounded on the northeast by V-198, on the south by V-16 and on the west by longitude 108°49'00" W.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 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. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office

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

These amendments are proposed 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 June 14, 1967.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 67-6938; Filed, June 20, 1967;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-AL-14]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would designate controlled airspace in the Soldotna, Alaska, terminal area.

The Federal Aviation Administration, having completed a comprehensive review of the controlled airspace requirements in the Soldotna, Alaska, terminal area, proposes the following airspace actions:

1. Designate the Soldotna, Alaska, Airport Control Zone as that airspace within a 5-mile radius of the Soldotna Airport (latitude 60°28'25" N., longitude 151°02'20" W.) and within 2 miles each side of the Cordova Airlines Soldotna private radio beacon (latitude 60°28'45" N., longitude 151°02'00" W.) 261° T bearing extending from the 5-mile radius zone to 8 miles west of the radio beacon, excluding the Kenai, Alaska, 5-mile ra-

dius Control Zone, from 0800 to 1600 hours, local time, daily.

2. Designate a transition area at Soldotna, Alaska, as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Soldotna Airport (latitude 60°28'25" N., longitude 151°02'20" W.) and within 2 miles each side of the Cordova Airlines Soldotna private radio beacon (latitude 60°28'45" N., longitude 151°02'00" W.) 261° T bearing extending from the 5-mile radius area to 8 miles west of the radio beacon, within 2 miles each side of the 087° T bearing from the Cordova Airlines private radio beacon (latitude 60°28'45" N., longitude 151°02'00" W.) extending from the radio beacon to 8 miles east; and that airspace extending upward from 1,200 feet above the surface within 8 miles south and 5 miles north of the Cordova Airlines private radio beacon 261° T bearing extending from the radio beacon to 12 miles west, excluding the Anchorage, Alaska, and Kenai, Alaska, 1,200-foot Transition Areas.

Scheduled air carrier service to Soldotna is provided by Cordova Airlines. To provide reliable service during periods of adverse weather conditions, Cordova Airlines operates a private, nondirectional radio beacon on the airport. A private-use, unpublished instrument approach procedure has been authorized. During 1966, Cordova Airlines executed 43 instrument approaches to Soldotna.

Itinerant aircraft conducted an estimated 11,750 operations at Soldotna during 1966, including the operations of 24 active, locally based aircraft.

An Airman's Information Desk, hourly and special weather observations, and communications with Kenai, Alaska, Flight Service Station will be available during the hours the control zone is in effect.

Designation of a control zone at Soldotna would provide protected airspace for aircraft conducting prescribed in-

strument approach and departure procedures. The proposed 700-foot and 1,200-foot transition areas would provide protected airspace for aircraft executing instrument approaches, departures, holding procedures, and missed approach procedures conducted beyond the limits of the control zone and during those hours the control zone is not in effect.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration 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 public docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on June 12, 1967.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 67-6939; Filed, June 20, 1967;
8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[New Mexico 596]

NEW MEXICO

Notice of Classification

JUNE 14, 1967.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended, for lands within the Upper Pecos Ranger District in the Santa Fe National Forest, N. Mex.:

NEW MEXICO PRINCIPAL MERIDIAN

- T. 5 N., R. 9 E.,
 Sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 23, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$;
 Sec. 25, N $\frac{1}{2}$;
 Sec. 26, NE $\frac{1}{4}$.
- T. 4 N., R. 10 E.,
 Sec. 1, lots 3, 4, and S $\frac{1}{2}$ NW $\frac{1}{4}$.
- T. 5 N., R. 10 E.,
 Sec. 9, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, lots 1, 2, 3, 4, 5, 6, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$,
 and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, lot 1, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$;
 Sec. 30, lots 1, 2, and 3.
- T. 2 N., R. 19 E.,
 Sec. 3, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and
 SE $\frac{1}{4}$;
 Sec. 5, N $\frac{1}{2}$ S $\frac{1}{2}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8;
 Sec. 10, E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 14, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 15;
 Sec. 17, E $\frac{1}{2}$;
 Sec. 22, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 26, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$.
- T. 3 N., R. 19 E.,
 Sec. 4, SW $\frac{1}{4}$;
 Sec. 5, lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 22, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 26 and 27;
 Sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 31, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 34 and 35.
- T. 24 S., R. 35 E.,
 Sec. 1, lots 2, 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
 SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 3, 4, and 9;
 Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 12;
 Sec. 13, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 14, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
 SW $\frac{1}{4}$;
 Sec. 23, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 25, N $\frac{1}{2}$;
 Sec. 26, E $\frac{1}{2}$ E $\frac{1}{2}$.
- T. 23 S., R. 36 E.,
 Sec. 31, lots 3, 4, and E $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 24 S., R. 36 E.,
 Sec. 6, lots 3, 4, 5, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;

- Sec. 19, lots 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and
 SE $\frac{1}{4}$;
 Sec. 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$
 SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$;
 Sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 26, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 30, lots 1, 2, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$.
- T. 25 S., R. 36 E.,
 Sec. 3, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$.
- T. 25 S., R. 37 E.,
 Sec. 4, lot 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 5, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$.
- T. 26 S., R. 37 E.,
 Sec. 1;
 Sec. 12, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 23 S., R. 38 E.,
 Sec. 33, lot 4, NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 24 S., R. 38 E.,
 Sec. 21, lots 1, 2, 3, and 4;
 Sec. 28, lots 1, 2, 3, and 4;
 Sec. 33, lots 1 and 2.
- T. 25 S., R. 38 E.,
 Sec. 4, lots 5 and 6;
 Sec. 5, SW $\frac{1}{4}$;
 Sec. 9, lots 1, 2, 3, and 4;
 Sec. 21, lots 1, 2, 3, and 4.

The areas described aggregate 20,430.62 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.12(d)).

W. J. ANDERSON,
 State Director.

[F.R. Doc. 67-6935; Filed, June 20, 1967;
 8:45 a.m.]

Geological Survey

[Order 254]

MONTANA

Coal Land Classification

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

PRINCIPAL MERIDIAN, MONTANA

COAL LANDS

- T. 9 S., R. 8 E.,
 Sec. 6, lots 6 and 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 9, lots 5 and 8, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
 S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 15, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 23, lot 4, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$
 NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, lots 3 and 4.

All or part of the following mineral survey included in sec. 24:
 Mineral Survey 8715, Good Luck Placer.

NONCOAL LANDS

- T. 9 S., R. 8 E.,
 Sec. 7, lot 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 8, lots 8 and 11;
 Sec. 9, lots 4 and 6, and 9 to 11, inclusive,
 NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 15, lots 1, 2, and 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
 NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, lots 1 to 9, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
 S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$
 SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, lots 2 and 3, and 5 to 9, inclusive,
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 23, lots 1, 2, and 3, and 5 to 9, inclusive,
 NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 24, lots 1 and 2, and 5 to 8, inclusive,
 N $\frac{1}{2}$.

All or part of the following mineral survey included in sec. 24:
 Mineral Survey 43, Bear Gulch Placer.

- T. 9 S., R. 9 E.,
 Secs. 1 and 2;
 Sec. 3, lot 1, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$;
 Sec. 4, lots 1 to 5, inclusive, N $\frac{1}{2}$, NW $\frac{1}{4}$
 SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 5, lots 1 to 3, inclusive, N $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 6, lots 1 to 7, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 7, lots 1 to 6, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$
 NW $\frac{1}{4}$;
 Sec. 8, lots 1 to 9, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 9, lots 1 to 8, inclusive, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 10, lots 1 and 2, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 11, lots 1 to 6, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$,
 NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 12 and 13;
 Sec. 14, lots 1 to 8, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$,
 SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 15, lots 1 to 9, inclusive, NW $\frac{1}{4}$, W $\frac{1}{2}$
 SW $\frac{1}{4}$;
 Sec. 16, lots 1 to 5, inclusive, NE $\frac{1}{4}$, NE $\frac{1}{4}$
 NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 17, lots 1 to 6, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 18, lots 1 to 6, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
 S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, lots 1 to 14, inclusive, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20, lots 1 to 5, inclusive, NE $\frac{1}{4}$, NE $\frac{1}{4}$
 NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 21;
 Sec. 22, lots 1 to 11, inclusive, W $\frac{1}{2}$ NW $\frac{1}{4}$,
 NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 23, lots 1 to 10, inclusive, NE $\frac{1}{4}$,
 N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 24;
 H.E.S. 253.
 All or parts of the following mineral
 claims included in this township:
 43 Placer.
 44 Placer.
 46 Mountain Chief Lode.
 47 Graham Lode.
 48 Tip Top Lode.
 61 Forty Acre Placer.
 62 Placer.
 4535 Snow Shoe Lode.
 4536 Boot Jack Lode.
 4537 Cuckoo Lode.
 4538 Fowler Lode.
 4557 Granite Lode.
 4558 Summit Lode.
 4559 Consolidated Mizpah.

4580 Highland Chief Lode.
 4589 Kentucky Lode.
 4900 Old Crow Lode.
 4901 Tower Grove Lode.
 4902 Pratt Lode.
 4903 Mars Lode.
 4904 Yenus Lode.
 4905 Jupiter Lode.
 5007 Placer.
 5527 Fraction Lode.
 5528 Iron Duke Lode.
 5529 Legal Tender Lode.
 5531 Golden Butterfly Lode.
 5532 Holy Grail Lode.
 5533 Lipitt Lode.
 5542 Placer.
 5572 Empire State Lode.
 5573 Revenue Lode.
 5573 Revenue Mill Site.
 5581 Good Luck Placer.
 5583 Joe Dandy Placer.
 5613 George Washington Fc. Lode.
 5614 McCauley Lode.
 5627 Brown Placer
 5628 Gardiner Placer.
 5629 Canon Lode.
 5674 Keets Lode.
 5675 West Point Lode.
 5676 William W. Dixon Lode.
 5713 Revelation Lode.
 5785 Klondyke Placer.
 5786 Empire Placer.
 5819 Uncle Joe Placer.
 5820 Major J. Lode.
 6117 Robinson Lode.
 6283 Union Lode.
 6284 Victoria Placer.
 6341 Placer Frac. Placer.
 6374 Side Step Lode.
 6376 Emma Lode.
 6377 George Lode.
 6657 Rose Placer.
 6930 Lunar Lode.
 6931 Solar Lode.
 6985 Vanity Fair Lode.
 6999 Wellington Lode.
 7000 Rachael Lode.
 7001 H. L. Lode.
 7002 A. O. Lode.
 7003 Spotted Horse Lode.
 7004 Hayland Lode.
 7005 Kenilworth Lode.
 7006 Hope Lode.
 7007 New Year Lode.
 7008 Sara Lode.
 7108 Last Chance Placer.
 8869 Little Bonanza Lode.
 8876 Homestead Lode.
 8878 Delaware Lode.
 8878 Topeka Lode.
 8876 First Chance Lode.
 9023 Creyasse Frac. Lode.
 9034 Highland Placer.
 9035 Yale Lode.
 9035 McGinty Lode.
 9681 Medona Lode.
 9681 Kennebec Lode.

The area described aggregates 18,769 acres, more or less, of which about 1,478 acres are classified as coal lands, and about 17,291 acres are classified as non-coal lands.

R. H. LYDDAN,
 Acting Director.

JUNE 9, 1967.

[F.R. Doc. 67-6977; Filed, June 20, 1967;
 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary
 SOUTH CAROLINA

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of South Carolina natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

SOUTH CAROLINA

Alken.	Fairfield.
Allendale.	Greenville.
Bamberg.	Laurens.
Barnwell.	Lexington.
Calhoun.	McCormick.
Cherokee.	Richland.
Chesterfield.	Saluda.
Edgefield.	Spartanburg.

It also has been determined that in the hereinafter-named counties in the State of South Carolina natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

South Carolina	Present designation
Collection	31 F.R. 10080
Dillon	31 F.R. 13356
Dorchester	31 F.R. 13356
Hampton	31 F.R. 13356
Marlboro	31 F.R. 13356
Newberry	31 F.R. 13356
Orangeburg	31 F.R. 13356
Union	31 F.R. 13356

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of June 1967.

ORVILLE L. FREEMAN,
 Secretary.

[F.R. Doc. 67-6978; Filed, June 20, 1967;
 8:49 a.m.]

COLORADO AND FLORIDA

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the

Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Florida natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

FLORIDA

Citrus.	Pasco.
Hernando.	Seminole.
Lake.	Sumter.
Marion.	Volusia.

It also has been determined that in the hereinafter-named county in the State of Colorado natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Colorado	Original designation	Present extension
Baca	29 F.R. 7784	31 F.R. 14658

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 15th day of June 1967.

ORVILLE L. FREEMAN,
 Secretary.

[F.R. Doc. 67-6944; Filed, June 20, 1967;
 8:46 a.m.]

KANSAS, NEBRASKA, AND NEW YORK

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Kansas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

KANSAS

Barber.	Kingman.
Comanche.	Sedgwick.
Harper.	Sumner.

It also has been determined that in the hereinafter-named counties in the States of Nebraska and New York natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

	Original designation	Second designation	Present designation
Nebraska:			
Antelope	29 F.R. 14969	30 F.R. 7616	31 F.R. 9139
Box Butte			31 F.R. 8928
Morrill			31 F.R. 8928
New York:			
Albany	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Allegany	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Broome	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Cattaraugus	30 F.R. 11070		31 F.R. 13147
Cayuga	29 F.R. 18267	30 F.R. 11070	31 F.R. 13147
Chautauque	30 F.R. 11070		31 F.R. 13147
Chemung	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Chemung	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Clinton	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Columbia	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Cortland	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Delaware	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Dutchess	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Erie	30 F.R. 11070		31 F.R. 13147
Essex	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Franklin	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Fulton	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Genesee	30 F.R. 11070		31 F.R. 13147
Greene	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Hamilton	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Herkimer	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Jefferson	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Lewis	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Livingston	30 F.R. 11070		31 F.R. 13147
Madison	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Monroe	30 F.R. 11070		31 F.R. 13147
Montgomery	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Niagara	30 F.R. 11070		31 F.R. 13147
Oneida	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Onondaga	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Ontario	30 F.R. 11070		31 F.R. 13147
Orange	29 F.R. 13081	30 F.R. 11070	31 F.R. 13147
Orleans	30 F.R. 11070		31 F.R. 13147
Oswego	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Otsego	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Putnam	30 F.R. 11070		31 F.R. 13147
Rensselaer	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Rockland	30 F.R. 11070		31 F.R. 13147
St. Lawrence	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Saratoga	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Schenectady	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Schoharie	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Schuyler	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Seneca	30 F.R. 11070		31 F.R. 13147
Steuben	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Suffolk	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Sullivan	29 F.R. 13081	30 F.R. 11070	31 F.R. 13147
Tioga	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Tompkins	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Ulster	29 F.R. 13081	30 F.R. 11070	31 F.R. 13147
Warren	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Washington	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147
Wayne	30 F.R. 11070		31 F.R. 13147
Westchester	30 F.R. 11070		31 F.R. 13147
Wyoming	30 F.R. 11070		31 F.R. 13147
Yates	29 F.R. 11165	30 F.R. 11070	31 F.R. 13147

action. He does not direct changes in policies, procedures, or operations of Departmental agencies but is authorized and directed to determine that reports he has furnished have been reviewed and properly acted upon.

The Inspector General is the authorized liaison official for the Department on all audit and investigative matters except those matters relating to the Department's security program. This authority includes liaison and coordination for these functions between (1) agencies within the Department and (2) the Department and other Government agencies, Congressional Committees, and other executive and legislative organizations. The Inspector General is operationally independent of other offices and agencies of the Department and reports directly to the Secretary.

The Headquarters organization consists of the Inspector General and the following staff units:

(a) *Assistant Inspector General Operations*. Provides overall direction and coordination to Regional Offices engaged in the execution of audits and investigations. He has designated Deputy Assistant Inspectors General for Operations to: (1) Carry out liaison with the Washington level of USDA agencies, (2) give technical direction and guidance with respect to audits and investigations of programs or functions for which they are responsible.

(b) *Assistant Inspector General, Policy and Plans*. Develops (1) policies, standards, and concepts of performance for audit and investigative activities, (2) audit and investigative plans and programs of work, and (3) training policies.

(c) *Assistant Inspector General, Analysis and Evaluation*. Advises key Department officials of significant audit/investigative disclosures and trends; follows up to assure these matters receive adequate attention; carries out the OIG liaison and coordination function with other Departments.

(d) *Assistant Inspector General, Inspections and Special Projects*. Conducts special audits and investigations of an extremely sensitive, complex, serious, or urgent nature; conducts all investigations at foreign sites; and conducts internal inspections of all activities of OIG.

(e) *Executive Assistant*. Provides executive assistance to the Inspector General and is responsible for the development of policies and programs applicable to the overall administrative management of OIG.

Sec. 3. *Regional Offices*. The following OIG Regional Offices have been established and perform the audit and investigative services in the territorial areas indicated, except those which are assigned to the Assistant Inspector General, Inspections and Special Projects. Each Regional Office is headed by a Regional Inspector General. Communications may be addressed to Regional Inspector General, Office of the Inspector General, U.S. Department of Agriculture, at the applicable location listed below:

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 15th day of June 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-6045; Filed, June 20, 1967;
8:46 a.m.]

OFFICE OF THE INSPECTOR GENERAL Organization, Functions, and Delegations of Authority

Pursuant to the authority delegated to the Inspector General in section 40 of the Statement of Organization and Delegations appearing in 29 F.R. 16212 dated December 3, 1964, and 5 U.S.C. 559, there is published the following:

ORGANIZATION AND FUNCTIONS

SECTION 1. *General*. The Office of the Inspector General, hereinafter referred to as "OIG", was created by Secretary's

Memorandum 1503 dated June 25, 1962, as amended. Secretary's Memorandum 1524 dated December 21, 1962, transferred the audit and investigative functions of the Department to that Office. The central office of OIG is located at Washington, D.C., but a large part of the activity is carried on through various field offices. Detailed functions of OIG are prescribed in the Administrative Regulations, Title 8, U.S. Department of Agriculture.

Sec. 2. *The Office of the Inspector General*. The Inspector General has established a Headquarters Office at Washington, D.C., and seven Regional Offices.

OIG is a staff element providing audit and investigative service pertaining to the Department, all of its constituent organizations, and all parties performing under contracts, grants, or other agreements with the Department. The Inspector General has authority to inquire into all program and administrative activities of the Department. These inquiries may be in the nature of audits, investigations, analyses, or reviews in such forms as are appropriate.

The Inspector General issues factual reports. Where appropriate, he is authorized to include recommendations for

- Region No. Address and Territory**
- I..... 80 Lafayette Street, Room 1000, New York, N.Y. 10013.
(Territory: Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, and Ohio.)
- II..... Room 428-A, Federal Center Building, Hyattsville, Md. 20781.
(Territory: District of Columbia, Delaware, Maryland, Virginia, West Virginia, and areas outside the continental United States except those assigned to Regions III and VII.)
- III..... Room 508, 1447 Peachtree Street NE, Atlanta, Ga. 30309.
(Territory: South Carolina, North Carolina, Florida, Georgia, Alabama, Tennessee, Mississippi, Puerto Rico, and Virgin Islands.)
- IV..... 1607 West Howard Street, Chicago, Ill. 60626.
(Territory: Illinois, Indiana, Kentucky, Michigan, Wisconsin, and Minnesota.)
- V..... 3906 South General Bruce Drive, Temple, Tex. 76501.
(Territory: Louisiana, Texas, Oklahoma, New Mexico, and Arkansas.)
- VI..... Office Address: 8930 Ward Parkway, Mailing Address: Post Office Box 205, Kansas City, Mo. 64141.
(Territory: Missouri, Kansas, Nebraska, Iowa, South Dakota, and North Dakota.)
- VII..... 555 Battery Street, Room 513, San Francisco, Calif. 94111.
(Territory: California, Idaho, Nevada, Montana, Arizona, Oregon, Utah, Hawaii, Alaska, Washington, Wyoming, Colorado, Trust Territories of the Pacific, and Territory of Guam.)

AGRICULTURE AGENCIES

Sec. 4. Agency requests for service. Heads of agencies and offices, and their field offices as applicable, will direct requests to the appropriate office of the Inspector General indicated below.

(a) *Regional Inspectors General.* Except as indicated in (b), (c), and (d) below, address all matters to the Regional Inspector General serving the locations or areas in which the audit or investigation will be conducted. Section 3 lists the addresses and territory served by each Regional Inspector General.

(b) *Assistant Inspector General for Inspections and Special Projects.* Address requests to the Assistant Inspector General, Inspections and Special Projects, for all investigations at foreign sites.

(c) *Assistant Inspector General for Operations.* Direct requests for audits and investigations, other than those in (b) above, to the Assistant Inspector General for Operations for those matters which (1) warrant request to the Washington Headquarters of the Inspector General because of urgency, sensitivity, or security, (2) involve agency activities that are national in scope, or (3) require action by more than one OIG Region to perform the services requested.

(d) *Inspector General.* Notwithstanding the provisions of (a), (b), and (c) above, agency officials may at any time direct to the personal attention of the Inspector General, any audit or investigative matter which they consider warrants such attention.

AVAILABILITY OF SERVICE AND INFORMATION

Sec. 5. *Availability of service and information.*—(a) *Service.* Any person desiring to bring to the attention of OIG any audit or investigative matter which they consider warrants such attention, may address his communication to either:

- (1) The Inspector General, U.S. Department of Agriculture, Washington, D.C. 20250,
- (2) Assistant Inspector General, Operations, Office of the Inspector General, U.S. Department of Agriculture, Washington, D.C. 20250, or
- (3) To the appropriate Regional Inspector General listed in section 3.

(b) *Information.* Any person desiring information, or to make submittals or request with respect to the operations and functions of OIG should address his request to:

Assistant Inspector General, Analysis and Evaluation, U.S. Department of Agriculture, Washington, D.C. 20250.

Personal inquiry may be made during normal business hours. Unless otherwise prescribed by regulations, a fee of 75 cents per page will be payable for those available documents for which copies are requested and furnished. The availability of information and records of OIG, its Regions and offices is governed by the rules and regulations of the Department published in the Code of Federal Regulations and the applicable provisions of 5 U.S.C. 552.

Issued at Washington, D.C., this 16th day of June 1967.

LESTER P. CONDON,
Inspector General.

[P.R. Doc. 67-6979; Filed, June 20, 1967; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

NEW YORK UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00009-33-09000. Applicant: New York University, 246 Greene Street, New York, N.Y. 10003. Article: Cathetometer with microscope. Intended use of article: For use with a cartesian diver apparatus and micro-respirometer. Comments: Comments were received from one manufacturer, Gaertner Scientific Corp., which alleged that it is currently offering for sale instrumentation of a type widely used in the United States in connection with Cartesian diver apparatus (Gaertner's comments dated Mar. 31, 1967). Decision: Application denied. An instrument of equivalent scientific value to such article, for the purpose for which such article is intended to be used is being manufactured in the United States.

Reasons: Applicant bases its belief that the domestic instrument is not scientifically equivalent to the foreign article on the following differences: (1) Foreign article was specifically designed for use with the applicants Cartesian diver and micro-respirometer; (2) foreign article is direct reading; (3) range of foreign article is greater; (4) lower adjustment of foreign article; and (5) shorter operating distance of foreign article. Points (1) and (2) are not considered to be "Pertinent Characteristics" as defined in § 602.1(b)(7) of Title 15 of the Code of Federal Regulations, 32 F.R. 2433 et seq. The pertinent characteristics and specifications of the foreign article and the domestic instrument have been compared. The range of the foreign article is 140 mm., compared with 240 mm., for the domestic instrument. The lowest adjustment of the foreign article is 230 mm., over table plate, compared with 240 mm., over table plate for the domestic instrument. The shortest operating distance of the foreign article is 60 mm., compared with 550 mm., for the domestic instrument. The differences between the foreign article and domestic instrument do not affect the capability of the domestic instrument to fulfill the purposes for which the foreign article is intended to be used from the standpoint of scientific equivalency. Accordingly, we find that the instrument described above, which is being manufactured in the United States, is of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[P.R. Doc. 67-6930; Filed, June 20, 1967; 8:45 a.m.]

UNIVERSITY OF WISCONSIN ET AL. Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897).

Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 67-00077-00-46040. Applicant: University of Wisconsin, 750 University Avenue, Madison, Wis. 53706. Article: Anticontamination device for lower specimen chamber on Hitachi Electron Microscope, No. HY-2. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: Applicant states:

It will be used on a Hitachi Electron Microscope now in our possession, to obtain better pictures.

Application received by Commissioner of Customs: May 16, 1967.

Docket No. 67-00089-33-46040. Applicant: State University of New York at Buffalo, 3435 Main Street, Buffalo, N.Y. 14214. Article: Electron microscope and component parts, Model HU 11-C. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be employed in the following research programs: Fine structure and cytochemistry of pollen tubes; differentiation of chloroplasts; supramolecular organization of cells; and protein biosynthesis. Application received by Commissioner of Customs: May 22, 1967.

Docket No. 67-00056-65-46040. Applicant: The University of Tennessee, Knoxville, Tenn. 37916. Article: Electron microscope, Model EM-300 with rotating and tilting stage, model PW 6501/00, pole piece PW 6202, and plate holder PW 6210/15. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for research on the following programs: Application of adiabatic calorimetry to metal systems; application of X-ray diffuse scattering to the study of structure of binary alloys; the ductility of nickel and nickel-base al-

loys at high temperatures; mechanism of embrittling effects of irradiation in welds in pressure vessel steel using electron fractography; and metallurgical aspects of high pressure gas bearing seals. Application received by Commissioner of Customs: May 1, 1967.

Docket No. 67-00055-33-46040. Applicant: University of Wisconsin, 750 University Avenue, Madison, Wis. 53706. Article: Electron microscope, Model EM-300. Manufacturer: Philips Electronic Instruments Ltd., Eindhoven, Netherlands. Intended use of article: The article will be used to investigate biological and nonbiological structures. Determinations of the sequence of chemical groups along pieces of chromosomes and determinations of the subunit structure of viruses will be made. Application received by Commissioner of Customs: May 1, 1967.

Docket No. 67-00037-65-46040. Applicant: University of California, East End of Hearst Avenue, Berkeley, Calif. 94720. Article: Electron microscope, Model HU-125. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: This article will be used to investigate the properties of thick metal specimens that have not been polished to conventional specimen thickness for electron microscopy. Application received by Commissioner of Customs: April 17, 1967.

Docket No. 67-00108-33-11000. Applicant: Baylor University College of Medicine, 1200 Moursund Avenue, Houston, Tex. 77025. Article: Combined Gas Chromatograph-Single Focusing Mass Spectrometer LKB 9000 consisting of Analyzer Unit Model 9001, Control Unit Model 9002, and Three-phase Transformer Model 9065 with accessories: Direct Inlet System Model 9042, Heated Inlet System Model 9043, and Accelerating Voltage Alternator Model 9066. Manufacturer: LKB-Produkter AB, Stockholm, Sweden. Intended use of article: Applicant states:

This instrument is intended for use in analytical biochemical problems of importance in medical research. The specific field of work is gas-phase analytical biochemistry.

Research to be conducted with this instrument includes development of quantitative gas chromatographic analytical procedures. Study of reaction of polyfunctional substances through continuous transference of high mass derivative products. Determinations will be made of unidentified concentrations of new substances developed by drug metabolites. Study of steroid and urinary acid derivatives will be conducted and investigations using stable isotopes will be made. Application received by Commissioner of Customs: June 2, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific
and Technical Equipment,
Business and Defense Services
Administration.

[P.R. Doc. 67-6931; Filed, June 20, 1967;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration AMCHEM PRODUCTS, INC.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 7F0591) has been filed by Amchem Products, Inc., Brookside Avenue, Ambler, Pa. 19002, proposing the establishment of a tolerance of 0.2 part per million for negligible residues of the herbicide amiben (3-amino-2,5-dichlorobenzoic acid) and its related aminodichlorobenzoic acids in or on the raw agricultural commodities beans (dry), beans (lima), corn, peanuts, peppers, pumpkins, soybeans, squash, sweetpotatoes, and tomatoes.

The analytical method proposed in the petition for determining residues of the herbicide involves the following steps: (1) Extraction of free and bound residues with alkaline methanol, (2) preliminary cleanup by acid-base partitioning with ether, (3) esterification with methanol, (4) final cleanup by adsorption chromatography, and (5) colorimetric determination after diazotization and coupling with *N*-1-(naphthyl)-ethylenediamine dihydrochloride.

Dated: June 13, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[P.R. Doc. 67-6970; Filed, June 20, 1967;
8:48 a.m.]

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 7F0613) has been filed by Chemagro Corp., Post Office Box 4913, Kansas City, Mo. 64120, proposing the establishment of a tolerance of 0.1 part per million for negligible residues of the fungicide *p*-(dimethylamino)benzenediazo sodium sulfonate in or on the raw agricultural commodities avocados, cottonseed, pineapple, sugar beet roots, and sugar beet tops.

The analytical method proposed in the petition for determining residues of the fungicide involves the application of dialysis for the separation and cleanup of the residues, light-catalyzed coupling with resorcinol in alkaline solution.

transfer to benzene, and measurement of the optical density at 450 millimicrons.

Dated: June 14, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6971; Filed, June 20, 1967;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Notice of Filing of Petition for Food Additive Oxytetracycline

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed jointly by U.S. Department of the Interior, Fish and Wildlife Service, Bureau of Commercial Fisheries, Washington, D.C. 20240 and Oregon Fish Commission, Portland, Oreg. 97201, proposing the issuance of a food additive regulation to provide for the safe use of oxytetracycline in feed for fish as a means of marking skeletal tissue of Pacific salmon for making various biological fishery studies.

Dated: June 12, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6969; Filed, June 20, 1967;
8:48 a.m.]

HESS AND CLARK

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Hess and Clark, Division of Richardson-Merrell, Inc., Ashland, Ohio 44805, proposing that the food additive regulations be amended to provide for the safe use in chicken feed of a combination drug containing nihydrazone and 3-nitro-4-hydroxyphenylarsonic acid for conditions described in § 121.237 *Nihydrazone* and for growth promotion, feed efficiency, and pigmentation improvement.

Dated: June 12, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6972; Filed, June 20, 1967;
8:49 a.m.]

KOPPERS CO., INC.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice of*

the procedural food additive regulations (21 CFR 121.52), the Forest Products Division of the Koppers Co., Inc., Pittsburgh, Pa. 15219, has withdrawn its petition (FAP 7H2071), notice of which was published in the FEDERAL REGISTER of September 8, 1966 (31 F.R. 11772), proposing an amendment to § 121.2556 *Preservatives for wood* to provide for the safe use of pentachlorophenol as a preservative for wood intended for use in contact with raw agricultural products in an amount not to exceed one percent by weight of the treated wood.

Dated: June 12, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6973; Filed, June 20, 1967;
8:49 a.m.]

MONSANTO CO.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 7F0607) has been filed by Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, proposing the establishment of a tolerance of 0.3 part per million for negligible residues of the herbicide S-2,3-dichloroallyl diisopropylthiocarbamate in or on the raw agricultural commodities alfalfa, barley, clover, corn, flax, lentils, peas, potatoes, safflower, soybeans, and sugar beets.

Two analytical methods are proposed for determining residues of the herbicides: (1) a colorimetric method based on the methyl orange complex of the diisopropylamine moiety of the herbicide and (2) a colorimetric method based on the Fujiwara reaction.

Dated: June 12, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6974; Filed, June 20, 1967;
8:49 a.m.]

PITTSBURGH PLATE GLASS CO.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice of* the procedural food additive regulations (21 CFR 121.52), Pittsburgh Plate Glass Co., 1 Gateway Center, Pittsburgh, Pa. 15222, has withdrawn its petition (FAP 7B2101), notice of which was published in the FEDERAL REGISTER of November 2, 1966 (31 F.R. 14013), proposing an amendment to § 121.2585 *4,4'-Isopropylidenediphenol-epichlorohydrin thermosetting epoxy resins* to provide for the safe use of glycidyl esters of dimerized

and trimerized fatty acids derived from linoleic acid as optional components of thermosetting epoxy resins used in contact with alcoholic beverages containing not more than 8 percent by volume of alcohol.

Dated: June 12, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6975; Filed, June 20, 1967;
8:40 a.m.]

W. R. GRACE & CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 7B2184) has been filed by W. R. Grace & Co., Dewey & Almy Chemical Division, 62 Whittemore Avenue, Cambridge, Mass. 02140, proposing an amendment to § 121.2550 *Closures with sealing gaskets for food containers* to provide for the safe use of olefloxypolyoxyethylene glycol (20 moles) in the manufacture of closure-sealing gaskets for food containers.

Dated: June 12, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-6976; Filed, June 20, 1967;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-279]

GENERAL ELECTRIC TECHNICAL SERVICES CO., INC.

Notice of Issuance of Facility Export License

Please take notice that no request for a formal hearing having been filed following publication of notice of proposed action in the FEDERAL REGISTER on April 4, 1967 (32 F.R. 5517), the Atomic Energy Commission has issued License No. XR-64 to General Electric Technical Services Co., Inc., a wholly owned subsidiary of the General Electric Co., authorizing the export of a 440-megawatt electrical, boiling water nuclear power reactor to Centrales Nucleares del Norte (Nuclenor), Santander, Spain. The export of this reactor to Spain is within the purview of the present Agreement for Cooperation between the Governments of the United States and Spain.

Dated at Bethesda, Md., this 9th day of June 1967.

For the Atomic Energy Commission.

EBER R. PRICE,
Director, Division of
State and Licensee Relations.

[F.R. Doc. 67-6927; Filed, June 20, 1967;
8:45 a.m.]

SOUTH ALBUQUERQUE WORKS— ACF INDUSTRIES, ALBUQUERQUE, N. MEX.

Trespassing on Commission Property

The notice concerning unauthorized entry into or upon the sites of the South Albuquerque Works of the Atomic Energy Commission dated October 12, 1965, appearing at page 13292 of the FEDERAL REGISTER of October 19, 1965 (30 F.R. 13292, F.R. Doc. 65-11118), is hereby amended to delete item 3 (ACF Industries, Inc., Alameda Facility, 9733 Coors Road NW., Albuquerque, N. Mex.; page 13292, columns 2 and 3).

Dated at Washington, D.C., this 14th day of June 1967.

R. E. HOLLINGSWORTH,
General Manager.

[F.R. Doc. 67-6928; Filed, June 20, 1967;
8:45 a.m.]

ALAMEDA FACILITY, ALBUQUERQUE, N. MEX.

Trespassing on Commission Property

Notice is hereby given that the Atomic Energy Commission, pursuant to section 229 of the Atomic Energy Act of 1954, as amended, as implemented by 10 CFR Part 160 published in the FEDERAL REGISTER on August 16, 1963 (28 F.R. 8400), prohibits the unauthorized entry, as provided in 10 CFR 160.3, and the unauthorized introduction of weapons or dangerous materials, as provided in 10 CFR 160.4, into or upon the Alameda Facility site of the Atomic Energy Commission (operated by EG&G, Inc.), said site being a tract of land located at 9733 Coors Road NW., in the city of Albuquerque, State of New Mexico, and more particularly described as follows:

A tract of land containing 12 acres beginning for a tie, at the U.S.L.O. marker on the south boundary of the town of Alameda Grant which is a point common to sec. 13, R. 2 E., T. 11 N., and sec. 18, R. 3 E., T. 11 N., N.M.P.M., Bernalillo County, N. Mex.; thence east 1,522.50 feet along the south boundary of the town of Alameda Grant to a point on the west right-of-way of State Road 448; thence N. 40°40' E., 4,590.15 feet along said right-of-way to the point of beginning which is the southeast corner of the tract herein described; thence N. 40°40' E., 670 feet along said right-of-way to the northeast corner; thence N. 49°20' W., 737 feet to the northwest corner; thence S. 40°40' W., 748 feet to the southwest corner; thence S. 55°23' E., 741.13 feet to the southwest corner and the point of beginning.

Notices stating the pertinent prohibitions of 10 CFR 160.3 and 160.4 and penalties of 10 CFR 160.5 will be posted at all entrances of said tract, and at intervals along its perimeter as provided in 10 CFR 160.6.

Dated at Washington, D.C., this 14th day of June 1967.

R. E. HOLLINGSWORTH,
General Manager.

[F.R. Doc. 67-6929; Filed, June 20, 1967;
8:45 a.m.]

CHEMICAL PROCESSING AND CON- VERSION OF SPENT FUELS

Extension of Contract Terms

The U.S. Atomic Energy Commission (AEC) hereby announces amendments to certain notices previously published by the AEC in the FEDERAL REGISTER concerning the chemical processing and conversion of spent fuels which will extend from June 30, 1967, to September 30, 1967, the AEC's present arrangements to receive irradiated reactor fuels and blanket materials and to make a financial settlement therefor. The extension is to keep the AEC's arrangements in effect pending publication in the FEDERAL REGISTER of a notice describing AEC's superseding policy for receipt of private irradiated fuel, and providing a period of 30 days during which interested persons may submit comments.

1. The penultimate sentence of paragraph 2, of the notice entitled "Chemical Processing and Conversion of Spent Fuels" published in the FEDERAL REGISTER on March 12, 1957, 22 F.R. 1591, is revised to read as follows: "The term of the contracts will be from the respective dates of execution until September 30, 1967."

2. The penultimate sentence of paragraph 1, of the notice entitled "Irradiated Fuels and Blanket Materials" published in the FEDERAL REGISTER on October 25, 1963, 28 F.R. 11462, is revised to read as follows: "The term of the contracts executed pursuant to this policy is from their respective dates of execution until September 30, 1967."

Effective date. This notice is effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 15th day of June 1967.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 67-6940; Filed, June 20, 1967;
8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18650; Order E-25301]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of June 1967.

Agreements adopted by the Traffic Conferences of the International Air Transport Association relating to cargo matters, Docket 18650; Agreement CAB 19622,¹ Agreement CAB 19626.²

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the

¹ R-1 through R-3 and R-5 through R-8.
² R-1 and R-2.

Traffic Conferences of the International Air Transport Association (IATA), and adopted at meetings held in San Juan April 17 through May 11, 1967. The agreements carry early effectiveness dates and have been assigned the above-designated CAB agreement numbers.

The agreements, among other things, extend the expiration date of all cargo resolutions from August 31 through September 30, 1967, with the exception of the North/Central Pacific cargo rates which have previously been extended until September 30, 1967.³ The extra month between the adoption of the San Juan cargo resolutions and the intended effectiveness date will allow the carriers more time to prepare for the introduction of the new rate structures. Further, the agreements, as set forth in the attachment hereto,⁴ name rates under a new specific commodity description, name additional rates under existing commodity descriptions, extend a few presently effective commodity rates, and cancel a commodity rate which the carriers state is unproductive. The new rates reflect reductions ranging from 30.7 to 63.5 percent and are consistent with the present level of commodity rates within the applicable areas.

The remainder of the early effectiveness resolutions generally relate to rate or procedural matters which either are not applicable in air transportation as defined by the Act or are not directly applicable in air transportation. For example, they include the establishment of specific commodity and general cargo rates other than those applicable to or from U.S. cities. Resolutions affecting air transportation relate to amendments in the currency rate of exchange and the rounding-off of cargo rates.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board finds that the following resolutions incorporated in the agreement indicated do not affect air transportation within the meaning of the Act:

CAB agreement	IATA No.	Title	Application
19622	560u	Traffic Conference 3 Specific Commodity Rates-New (Expedited).	1
	560y	Traffic Conference 2 Specific Commodity Rates.	2

2. The Board does not find the following resolution, which is incorporated in the agreement indicated and which does not directly affect air transportation within the meaning of the Act, to be adverse to the public interest or in violation of the Act:

CAB agreement	IATA No.	Title	Application
19622	552	Conference 2 Cargo Rates Amending (Expedited).	2

³ Order E-25270, dated June 8, 1967.

⁴ Attachment filed as part of original document.

3. The Board does not find the following resolutions, incorporated in the agreements indicated, to be adverse to the public interest or in violation of the Act: *Provided*, Approval is subject to the condition specified below:

CAB agreement	IATA No.	Title	Application
19622	002b	Special Revalidation Resolution (Expedited).	World-wide.
19622	021b	Rates of Exchange-Revalidating and Amending.	1, 2, 3.
19622	023b	Rounding-off Cargo Rates-Amending (Expedited).	World-wide.
19622	590v	Joint Conference 1/2 Specific Commodity Rates-New.	1/2.
19626	001p	Special Effectiveness Resolution (Expedited).	World-wide.
19626	590w	Joint Conference 1/2 Specific Commodity Rates (Expedited).	1/2.

Provided, That with respect to Resolutions 590v and 590w approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Accordingly, it is ordered, That:

1. Jurisdiction is disclaimed with respect to those portions of Agreement CAB 19622 described in finding paragraph 1;

2. The portion of Agreement CAB 19622, as set forth in finding paragraph 2, is approved; and

3. Those portions of Agreements CAB 19622 and 19626 described in finding paragraph 3 are approved subject to the condition stated therein.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-6958; Filed, June 20, 1967;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Canadian Change List 227]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes,
and Corrections in Assignments

MAY 31, 1967.

Notification under the provision of
Part III, section 2 of the North American
Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignment of Canadian Broadcast Stations modifying appendix containing assignments of Canadian

Stations (Mimeograph No. 47214-3) attached to the recommendation of the North American Regional Broadcasting Agreement Engineering Meeting.

Call Letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CHOK (PO: 5 kw D/1 kw N 1070 ka. DA-N).	Sarnia, Ontario.....	1070 kilocycles 10 kw.....	DA-2	U	II	E.I.O. 5-15-68.
CHRD (Delete assignment—vide 1480 kc/s).	Drummondville, Province of Quebec.	1540 kilocycles 0.25 kw.....	ND	U	IV	
CHRD (now in operation).	Drummondville, Province of Quebec.	1180 kilocycles 10 kw.....	DA-2	U	III	
	Wetaskiwin, Alberta....	1440 kilocycles 1 kw.....	DA-1	U	III	E.I.O. 5-15-68.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6983; Filed, June 20, 1967; 8:50 a.m.]

[Docket Nos. 17231-17233; FCC 67M-994]

ASSOCIATED TELEPHONE ANSWERING SERVICE AND LIBERTY COMMUNICATIONS, INC.

Order Scheduling Hearing

In re applications of John R. Hagan, doing business as Associated Telephone Answering Service, for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio Service at Bridgeport, Conn., Docket No. 17231, File No. 4885-C2-P-65; Liberty Communications, Inc., for renewal of licenses for Stations KCC485 and KCC796 in the Domestic Public Land Mobile Radio Service at Trumbull and Devon, Conn., Docket No. 17232, File No. 2979-C2-R-66, File No. 1065-C2-R-66; for a construction permit to modify the facilities of Station KCC485 in the Domestic Public Land Mobile Radio Service at Trumbull, Conn., Docket No. 17233, File No. 6893-C2-P-65:

It is ordered, By the Hearing Examiner on his own motion that the hearing in the above matter heretofore postponed indefinitely is hereby scheduled to commence at 10 a.m., June 27, 1967, in the Commission's offices in Washington, D.C.

Issued: June 14, 1967.

Released: June 15, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6984; Filed, June 20, 1967;
8:50 a.m.]

[Docket Nos. 17493, 17494; FCC 67-662]

EASTERN BROADCASTING CORP. AND WIKI RADIO, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Eastern Broadcasting Corp., Hopewell, Va., Docket No. 17493, File No. BPH-5148, Requests: 92.1

mc, No. 221; 3 kw; 160 ft.; WIKI Radio, Inc., Chester, Va., Docket No. 17494, File No. BPH-5202, Requests: 92.1 mc, No. 221; 3 kw; 255 ft.; for construction permits.

1. The Commission has under consideration the above-captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. The respective proposals, which are for different communities, would serve substantially different areas and populations. Consequently, it will be necessary to determine pursuant to 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. Data submitted by the applicants indicate that there would be a significant difference in the size of the populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations within the 1 mv/m contour together with the availability of other FM services of 1 mv/m or greater intensity in such areas will be considered under the 307(b) issue.

4. On the basis of a Commission investigation, it appears that during the period that Eastern Broadcasting Corp. was licensee of station WALT, Tampa, Fla., that station broadcast two contests which were fraudulently conducted in that the winner of one ("Pepsi Comes Calling") was prearranged and the outcome of the other ("Christmas Daddy" Contest) so arranged as to prevent anyone from winning.¹ In addition, one of these contests apparently contained the essential elements of a lottery. Moreover, an earlier investigation by the Commission's staff, with which the licensee was familiar, revealed that the station manager who conducted at least one of the contests earlier had falsified information in the station's renewal application. Un-

¹ A notice of apparent liability is outstanding as a result of the more recent contest; a forfeiture for the earlier contest is barred by the 1 year limitation on such actions.

der these circumstances, issues are required regarding whether a grant of Eastern Broadcasting Corp.'s application would serve the public interest.

5. Except as indicated below, the applicants are qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, as is of the opinion that the applications must be designated for hearing 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 whether the "Pepsi Comes Calling" and "Christmas Daddy" Contests broadcast by station WALT were fraudulently conducted and/or constituted a lottery, and if so, the circumstances surrounding these occurrences.

2. To determine whether Eastern Broadcasting Corp. submitted falsified information in its November 4, 1963 renewal application, and if so, the circumstances surrounding such submission.

3. To determine in light of the evidence adduced pursuant to the foregoing issues, whether a grant of the Eastern Broadcasting Corp. application would serve the public interest.

4. To determine, if issue 3 is resolved in Eastern Broadcasting Corp.'s favor, 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 to avail themselves of the opportunity to be heard, the applicants, 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.

Adopted: June 7, 1967.

Released: June 16, 1967.

FEDERAL COMMUNICATIONS

COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6985; Filed, June 20, 1967;
8:50 a.m.]

[Docket Nos. 17493, 17494; FCC 87M-998]

**EASTERN BROADCASTING CORP.
AND WIKI RADIO, INC.**

Order Scheduling Hearing

In re applications of Eastern Broadcasting Corp., Hopewell, Va., Docket No. 17493, File No. BPH-5148; WIKI Radio, Inc., Chester, Va., Docket No. 17494, File No. BPH-5202; for construction permits:

It is ordered, That Elizabeth C. Smith shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 12, 1967, at 10 a.m.; and that a prehearing conference shall be held on July 12, 1967, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: June 12, 1967.

Released: June 16, 1967.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6986; Filed, June 20, 1967;
8:50 a.m.]

[Docket Nos. 17144, 17155; FCC 67M-1002]

**GENERAL ELECTRIC CABLEVISION
CORP.**

**Statement and Order After Further
Prehearing Conference**

In re petitions of General Electric Cablevision Corp., Peoria, Ill., Docket No. 17144, File No. CATV 100-25; General Electric Cablevision Corp., Peoria Heights and Bartonville, Ill., Docket No. 17155, File No. CATV 100-59; for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Peoria Television Market.

At today's conference, among other things the following schedule was set up:

GE to furnish direct affirmative written case to counsel for other parties and to Hearing Examiner by September 15, 1967.

Receipt of notification of GE witnesses for cross-examination by September 29, 1967.

² Chairman Hyde absent.

Hearing on GE case October 9, 1967.

So ordered.

Issued: June 15, 1967.

Released: June 16, 1967.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6987; Filed, June 20, 1967;
8:50 a.m.]

[Docket No. 17509]

ARTHUR H. JONES, JR.

**Order Designating Matter of Suspension
for Hearing on Stated Issues**

In the matter of Arthur H. Jones, Jr., Baltimore, Md., Docket No. 17509; suspension of amateur radio operator license (W3IIRL).

The Commission having under consideration its order of April 21, 1967, which suspended the Advanced Class Amateur Radio Operator license of Arthur H. Jones, Jr., of 4017 West Cold Spring Lane, Baltimore, Md., for the remainder of the license term, that is, until October 23, 1968, and licensee's request for a hearing in the above-entitled matter:

It appearing, that the said Arthur H. Jones, Jr., by his attorney, Mr. Lawrence Powers, in accordance with section 303(m)(2) of the Communications Act of 1934, as amended, filed with the Commission within the time specified therefor an application requesting a hearing on the Commission's above-mentioned Suspension Order; and

It further appearing, that, under the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, upon the filing of a timely written application for hearing, the Commission's Suspension Order is held in abeyance until the conclusion of proceedings thereon:

It is ordered, Under authority contained in section 303(m)(2) of the Communications Act, as amended, and § 0.332(f) of the Commission's rules, that the matter of the suspension of the Advanced Class Amateur Radio Operator license of Arthur H. Jones, Jr., is designated for hearing before a Hearing Examiner and at a time and place to be specified by subsequent order, upon the following issues:

1. To determine whether the licensee committed the violations of the Commission's rules as set forth in the Commission's Order of Suspension;

2. If the licensee committed such violations, to determine whether the facts or circumstances in connection therewith would warrant any change in the Commission's Order of Suspension.

It is further ordered, That a copy of this order shall be served upon Mr. Lawrence Powers, Suite 219, Equitable

Building, Calvert and Fayette Streets, Baltimore, Md. 21202, attorney for respondent.

Adopted: June 14, 1967.

Released: June 15, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-6988; Filed, June 20, 1967;
8:50 a.m.]

[Docket Nos. 17117, 17118; FCC 67M-991]

**WARD L. JONES AND MARS HILL
BROADCASTING CO., INC.**

Order Continuing Hearing

In re applications of Ward L. Jones, Syracuse, N.Y., Docket No. 17117; File No. BPH-5314; Mars Hill Broadcasting Co., Inc., Syracuse, N.Y., Docket No. 17118; File No. BPH-5450; for construction permits.

It appearing, that on June 2, 1967, the applicants filed a joint petition for approval of an agreement looking toward resolution of the conflict between their applications without a hearing, and that the pendency of their petition makes it appropriate to defer scheduled procedural steps for hearing as well as the hearing pending Review Board action on such pleading:

Accordingly, it is ordered, On the Examiner's own motion, that the heretofore scheduled dates of June 16 and June 30, 1967, for exchange of written exhibits and notifications of witnesses, and the heretofore scheduled date of July 13, 1967, for the commencement of hearing are postponed indefinitely pending Review Board action on the Joint Petition of the parties for approval of agreement, filed June 2, 1967.

Issued: June 14, 1967.

Released: June 15, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-6989; Filed, June 20, 1967;
8:50 a.m.]

[Docket No. 17474; FCC 67M-993]

MEL-LIN, INC. (WOBS)

**Order Continuing Prehearing
Conference**

In re application of Mel-Lin, Inc. (WOBS), Jacksonville, Fla., Docket No. 17474, File No. BP-14323; for construction permit.

Upon verbal request by counsel for the applicant: It is ordered, That the prehearing conference now scheduled for June 23 be and the same is hereby rescheduled for June 22, 1967, 9 a.m., in the Commission's offices, Washington, D.C.

Issued: June 14, 1967.

Released: June 15, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-6990; Filed, June 20, 1967;
8:50 a.m.]

[Docket No. 17401, etc.; FCC 67M-999]

MIAMI BROADCASTING CORP. ET AL.

Order After Prehearing Conference

In re applications of Miami Broadcasting Corp., Miami, Fla., Docket No. 17401, File No. BPH-4910; Mission East Co., Miami, Fla., Docket No. 17403, File No. BPH-5481; Edward Winton, Silva M. Feldman, David Ginsburg, Norma Fine, and Al Lapin, Jr., doing business as WSKP Broadcasters, Miami, Fla., Docket No. 17404, File No. BPH-5661; for construction permits.

The Hearing Examiner having under consideration the discussions, agreements, understandings, and directives set out during a prehearing conference in the above-entitled proceeding which was held on June 14:

It is ordered, That the hearing is hereby rescheduled and will convene at 10 a.m. on Friday, September 22, 1967, at the Commission's offices, Washington, D.C.; and that the applicants' counsel are to exchange applicants' exhibits among themselves, with copies to the Hearing Examiner and Broadcast Bureau counsel, by September 8; and

It is ordered further, That the transcript of the prehearing conference, which is incorporated by reference herein, shall serve as a guide to the parties and to their counsel in their preparation for hearing.

Issued: June 15, 1967.

Released: June 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-6991; Filed, June 20, 1967;
8:50 a.m.]

[Docket Nos. 17472, 17473; FCC 67-625]

**RADIO STATIONS KNND AND KRKT
AND ALBANY RADIO CORP.**

**Order Designating Applications for
Consolidated Hearing on Stated
Issues**

In re applications of Peter Ryan and Milton Viken doing business as Radio Stations KNND and KRKT, Albany, Oreg., Docket No. 17472, File No. BPH-5321, Requests: 107.9 mc, No. 300; 25.8 kw; 226 ft.; Albany Radio Corp., Albany, Oreg., Docket No. 17473, File No. BPH-5436, Requests: 107.9 mc, No. 300; 29.4 kw (H&V); 538 ft.; for construction permits.

1. The Commission has under consideration the above-captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations within the 1 mv/m contours together with the availability of other FM services of 1 mv/m or greater intensity in such areas will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to either of the applicants.

3. Albany Radio Corp. proposes virtually 100 percent duplication while Radio Stations KNND and KRKT proposes independent programming. Therefore, evidence regarding program duplication will be admissible under the standard comparative issue. When duplicated programming is proposed the showing permitted under the standard comparative issue will be limited to evidence concerning the benefits to be derived from the proposed duplication, and a full comparison of the applicants' program proposals will not be permitted in the absence of a specific programming inquiry—Jones T. Sudbury ----- FCC 2d -----, FCC 67-614 (1967).

4. Such full comparison is warranted when one applicant proposes predominantly specialized programming and the other general market programming—Ward L. Jones, FCC 67-82 (1967); Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, footnote 9 at 397 (1965). In this case, Albany Radio Corp. proposes predominantly religious programming and Stations KNND and KRKT, general market programming. Therefore, the programming proposals of the applicants may be compared under the standard comparative issue.

5. Albany Radio Corp. has requested waiver of § 73.210(a)(2) of the Commission's rules to permit the main studio to be located outside the city limits of Albany, Oreg., at a point other than the transmitter site. The proposed main studio location already used by the companion AM station, is near a main artery and readily accessible to Albany. Under these circumstances, we believe that adequate justification has been provided for waiver if the Albany Radio Corp. application is granted.

6. Each of the applicants is qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make a statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they 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 which of the proposals would better serve the public interest.

2. To determine in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permit should be granted.

It is further ordered, That if the Albany Radio Corp. is granted, the permit shall contain the following condition: § 73.210(a)(2) of the Commission's rules is waived to permit the establishment of the main studio outside the city limits of Albany, Oreg., on U.S. Highway 20 approximately 4 miles east of the center of Albany, Oreg.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants, 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.

Adopted: May 24, 1967.

Released: June 15, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6992; Filed, June 20, 1967;
8:50 a.m.]

[Docket Nos. 17472, 17473; FCC 67M-941]

RADIO STATIONS KNND AND KRKT
AND ALBANY RADIO CORP.

Order Scheduling Hearing

In re applications of Peter Ryan and Milton Viken doing business as Radio Stations KNND and KRKT, Albany, Oreg., Docket No. 17472, File No. BPH-5321; Albany Radio Corp., Albany, Oreg., Docket No. 17473, File No. BPH-5436; for construction permits:

It is ordered, That Isadore A. Honig shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 25, 1967, at 10 a.m.; and that a pre-hearing conference shall be held on

¹ Commissioner Wadsworth absent.

June 26, 1967, commencing at 9 a.m.: And, it is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: May 31, 1967.

Released: June 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-6993; Filed, June 20, 1967;
8:51 a.m.]

FEDERAL MARITIME COMMISSION

CONTINENTAL CRUISE LINES, INC./
JAMAICA SHIPPING LINES, LTD.

Security for Protection of Public; In-
demnification of Passengers for
Nonperformance of Transportation;
Application for Certificate

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR Part 540) the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation:

Continental Cruise Lines, Inc./Jamaica
Shipping Lines, Ltd.

Dated: June 16, 1967.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 67-6959; Filed, June 20, 1967;
8:47 a.m.]

COMPANIA GENOVESE DI ARMAN-
MENTA, SPA (COGEDAR LINE), ET
AL.

Security for Protection of Public; Finan-
cial Responsibility To Meet Liability
Incurred for Death or Injury to Pas-
sengers or Other Persons on Voy-
ages; Application for Certificate
(Casualty)

Notice is hereby given that pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, Amendment 2 (46 CFR Part 540) the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages:

Compania Genovese Di Armanmenta, SPA (Cogedar Line).
American President Lines, Ltd. (APL).
State of Alaska.
Continental Cruise Lines, Inc./Jamaica
Shipping Lines, Ltd.
Mitsui O.S.K. Lines, Ltd.
Zim Israel Navigation Co., Ltd. (Zim Line).
Themistocles Navegacion S.A. (National
Hellenic American Line).

Dated: June 16, 1967.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.
[F.R. Doc. 67-6960; Filed, June 20, 1967;
8:47 a.m.]

SECURITIES AND EXCHANGE
COMMISSION

[812-2074]

PACIFIC INSURANCE COMPANY OF
NEW YORK AND BANKERS AND
SHIPPERS INSURANCE COMPANY
OF NEW YORK

Order Granting Motion To Postpone
Hearing

JUNE 16, 1967.

The proceedings in this matter are scheduled for hearing on June 21, 1967. They involve an application filed by Pacific Insurance Company of New York and Bankers and Shippers Insurance Company of New York, 12 Gold Street, New York, N.Y. 10038, for an exemption order under section 17(a) of the Investment Company Act of 1940 with respect to the purchase by Pacific of certain shares of Bankers from Insurance Securities Trust Fund, and the purchase by Bankers of certain shares of Jersey Insurance Company of New York from the said Trust Fund.

Counsel for the applicant companies having requested that the hearing be postponed for 1 week, and there being no objection thereto,

It is ordered, That the hearing is hereby postponed to June 28, 1967, at 10 a.m.

For the Commission, pursuant to delegated authority.

Orval L. DuBois,
Secretary.

[SEAL] By: NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 67-6995; Filed, June 20, 1967;
8:51 a.m.]

[70-4491]

GREAT LAKES GAS TRANSMISSION
CO. AND AMERICAN NATURAL GAS
CO.

Proposed Issue and Sale of Common
Stock and Notes

MAY 19, 1967.

Notice is hereby given that American Natural Gas Co. ("American Natural"), a registered holding company, and its subsidiary company, Great Lakes Gas Transmission Co. ("Great Lakes"), 30 Rockefeller Plaza, New York, N.Y. 10020, have filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9, 10, and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

On August 20, 1965, American Natural entered into an agreement with Trans-Canada Pipe Lines, Ltd. ("Trans-Canada"), a Canadian corporation, under which the two companies agreed to participate in the construction and operation of a new pipeline to transport natural gas from Emerson, Manitoba, to the American Natural system's markets in the United States and to Trans-Canada's markets in eastern Canada. The proposed pipeline will be constructed and operated by Great Lakes, the common stock of which will be owned equally by American Natural and Trans-Canada. By order issued March 7, 1966 (Holding Company Act Release No. 15422), this Commission authorized American Natural to purchase 100 shares of the \$100 par value common stock of Great Lakes for a cash consideration of \$10,000.

Great Lakes is to construct a 36-inch diameter pipeline extending from the international boundary at Emerson, Manitoba, where it will connect with existing western facilities of Trans-Canada, through Minnesota, Wisconsin, and the Upper Peninsula of Michigan, across the Straits of Mackinac to the Austin Field gas storage area of Michigan Wisconsin Pipe Line Co. ("Michigan Wisconsin"), a natural gas transmission subsidiary company of American Natural, in west-central Michigan, and from that point to the international boundary near St. Clair, Mich., where it will connect with Trans-Canada's eastern Canadian facilities. A branch line will extend natural gas service to the cities of Sault Ste. Marie, Mich. and Ontario. By the end of a 5-year buildup period, Great Lakes will transport approximately 677,000 Mcf per day of natural gas for the account of Trans-Canada and will sell approximately 57,000 Mcf per day to Michigan Consolidated Gas Co. ("Michigan Consolidated"), a gas utility subsidiary company of American Natural, for distribution and sale to consumers in Michigan. It is estimated that the cost of the entire Great Lakes pipeline will approximate \$212 million.

The application states that hearings before the Federal Power Commission on the application of Great Lakes for a certificate of public convenience and necessity under the Natural Gas Act, together with related applications, were concluded, and the matter is now pending for decision by that Commission. By Order-in-Council dated October 4, 1966, the Government of Canada approved the issuance to Trans-Canada of the Canadian certificates, licenses, and orders authorizing the transportation, exportation, and importation of gas associated with the Great Lakes project.

The first segment of the Great Lakes line proposed to be constructed will extend approximately 160 miles from an interconnection with Michigan Wisconsin in the Austin Field storage area in west-central Michigan to St. Clair, Mich., where it will interconnect with Trans-

Canada's eastern Canadian pipeline system and Michigan Consolidated's Belle River Mills storage area. It is stated that in order to meet the urgent requirements of the markets to be served by Great Lakes at the earliest possible moment after certificate authorization has been granted, American Natural and Trans-Canada have acquired substantially all of the pipe, equipment, and right-of-way required for the construction of the Austin-St. Clair line at a total cost of approximately \$19,600,000 as of March 31, 1967, and are continuing to incur additional costs for such purposes. The company anticipates that, upon the issuance of the requisite authorizations by the Federal Power Commission and this Commission, construction of the first segment of the Great Lakes line will commence immediately.

In the present filing with this Commission, Great Lakes proposes to issue and sell to American Natural, and American Natural proposes to acquire, an additional 99,900 shares of Great Lakes' common stock, par value \$100 per share. Great Lakes also proposes to issue and sell a like amount of shares, at the par value thereof, to Trans-Canada (or its wholly owned subsidiary company, Alberta Inter-Field Gas Lines, Ltd.). Great Lakes will issue the common stock to the two companies in amounts equalling in par value the amounts expended by Trans-Canada and American Natural, respectively, for pipe, equipment, and right-of-way up to a total of \$9,990,000 each, upon assignment to Great Lakes of all right, title, and interest each company has in the pipe, equipment, and right-of-way for which such funds were expended. In the event the funds so expended by either Trans-Canada or American Natural, as of the date Great Lakes issues the additional 99,900 shares of its common stock to such company, are less than \$9,990,000, such company will pay the difference to Great Lakes in cash, concurrently with the issuance of the common stock.

Great Lakes also proposes to issue and sell to banks, from time to time, up to \$30 million of its promissory notes. The company has obtained lines of credit as follows:

	Commitment
First National City Bank, New York, N.Y.	\$7,500,000
National Bank of Detroit, Mich.	7,500,000
Royal Bank of Canada, Toronto, Canada	7,500,000
The Canadian Imperial Bank of Commerce, Toronto, Canada	7,500,000
Total	30,000,000

The notes will be unsecured and will be issued in varying amounts commencing about June 15, 1967 (assuming issuance of requisite Federal Power Commission authorizations prior thereto) and at various dates subsequent thereto as funds are required by the company. The notes will be dated as of the date of issuance and will mature 1 year from the

date of the first borrowing hereunder. Borrowings will be approximately pro rata from each bank. Each note will bear interest at the prime rate of First National City Bank, New York, N.Y., in effect on the date of each borrowing, and the interest rate will be adjusted to the prime rate in effect at said bank at the beginning of each 90-day period subsequent to the date of the first borrowing. There is no commitment fee, and the notes may be prepaid at any time without penalty.

Great Lakes proposes to use the amounts borrowed on the notes to finance partially its construction costs, which through May of 1968 are estimated at \$50 million, and to provide necessary working capital. It is stated that Great Lakes will file a subsequent application or applications with this Commission covering its program for financing 1968 construction and payment of the notes authorized herein.

Fees and expenses to be incurred in connection with the proposed transactions are estimated at \$2,000, including counsel fees of \$1,500. The application states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed issue and sale of common stock and notes.

Notice is further given that any interested person may, not later than June 28, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[P.R. Doc. 67-6994; Filed, June 20, 1967; 8:51 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 619]

IOWA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of June 1967, because of the effects of certain disasters, damage resulted to residences and business property located in Montgomery County, in the State of Iowa.

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

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

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

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about June 9, 1967.

OFFICE

Small Business Administration Regional Office, Fifth and Grand Avenue, Des Moines, Iowa 50309.

2. A temporary office will be established at Red Oak, Iowa, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1967.

Dated: June 14, 1967.

ROBERT C. MOOT,
Deputy Administrator.

[P.R. Doc. 67-6936; Filed, June 20, 1967;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. MC-C-5676]

CAROLINA MEAT PROCESSORS, INC.

Notice of Filing of Petition for Declaratory Order

JUNE 16, 1967.

Petitioner: CAROLINA MEAT PROCESSORS, INC., Highway 117, Castle Hayne, N.C., Post Office Box 294, Wilmington, N.C. Petitioner's representatives: JOHN C. BRADLEY, RICHARD R. SIGMON, 618 Perpetual Building, Washington, D.C. 20004.

By petition filed May 24, 1967, petitioner states its primary business is the processing and sale of meat and meat products. Petitioner purchases meat at

various points throughout the United States and transports it to Wilmington, N.C., for processing at its own plant, in vehicles owned or leased by it, and operated by its employees, and ships its meat products from Wilmington to customers located throughout the 48 contiguous States, utilizing the same vehicles and drivers. Petitioner is affiliated with Wilmington Packing Company, Inc., and Coastal Provision Company, Inc. C. O. Kersey, Jr., is president, a stockholder, and a director of the three corporations. Petitioner states that it purchases meat directly from suppliers or through Wilmington Packing Co., and also buys from and sells to Coastal Provision Co. Petitioner states that when it purchases meat through Wilmington Packing the suppliers invoice the sale to that company; it, in turn, sends a bank guaranty as payment, and then sells the meat to petitioner, f.o.b. point of purchase. Petitioner further states that, at times, it does not take title to meat purchased under this arrangement until it arrives at Wilmington, N.C., but that, at all times, petitioner only transports meat that it, under an established arrangement, intends to purchase from its affiliate, and the transportation by it is undertaken subject to sale. Petitioner states that 25 percent of the total expense of its business operations results directly from the cost of transportation performed by it, the balance of business expense being directly related to its processing activity.

Petitioner requests that the Commission enter a declaratory order determining that the above-described transportation is private carriage as defined by the Interstate Commerce Act, and that it does not require for-hire carrier operating authority from the Commission.

Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication, file representations, consisting of an original and six copies, supporting or opposing the relief sought by petition.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-6948; Filed, June 20, 1967;
8:46 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

JUNE 16, 1967.

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. 41055—Returned shipments from, to, and within, points in Montana. Filed by Trans-Continental Freight Bureau, agent (No. 444), for interested rail carriers. Rates on property returned to original point of shipment, in carloads, from, to, and within points in Montana.

Grounds for relief—Carrier competition.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-6949; Filed, June 20, 1967;
8:47 a.m.]

[Notice 405]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 16, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 1756 (Sub-No. 8 TA), filed June 12, 1967. Applicant: PEOPLES EXPRESS CO., 497 Raymond Boulevard, Newark, N.J. 07105. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Containers, empty, in automated trailers, (1) between Paterson and Passaic, N.J., on the one hand, and, on the other, Bridgeport and Milford, Conn.; and (2) between New York, N.Y., on the one hand, and, on the other, Menands, N.Y.; for 180 days. Supporting shipper: Continental Can Co., Inc., 633 Third Avenue, New York, N.Y. 10017. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1060 Broad Street, Room 363, Newark, N.J. 07102.

No. MC 1872 (Sub-No. 65 TA) (Correction), filed May 9, 1967, published in FEDERAL REGISTER, issue of May 16, 1967, corrected, and republished as corrected, this issue. Applicant: ASHWORTH TRANSFER, INC., 1526 South 600 W Street, Salt Lake City, Utah 84104. Applicant's representative: Keith E. Taylor, Kearns Building, Salt Lake City, Utah 84104. Authority sought to operate as a common carrier, by motor vehicle,

over irregular routes, transporting: Such commodities as require special handling or special equipment by reason of size or weight, and commodities which do not require special handling, or the use of special equipment, when moving in the same shipment on the same bill of lading and for the same consignee as commodities which because of size or weight require special handling, or the use of special equipment, between points in Colorado and points in New Mexico; for 180 days. Supporting shippers: Mine & Smelter Supply Co., 3800 Race Street; C. S. Card Iron Works Co., 2501 West 18th Avenue; Denver Equipment Co., 1400 17th Street; Morse Bros. Machinery Co., 1400 West Evans; Armco Steel Corp., 130 East Fifth Avenue; and Colorado Builders Supply Co., 1300 West Evans; all of Denver, Colo. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah 84111. NOTE: Applicant states that it intends to tack the authority here applied for with other authority held under MC 1872 and MC 1872 (Sub-No. 55). Applicant further states that it intends to interline at the same points where it now interlines under the MC 1872 "size and weight" authorities and under MC 1872 (Sub-No. 55). The purpose of this republication is to set forth applicant's intention to tack and interline, previously inadvertently omitted.

No. MC 10761 (Sub-No. 215 TA), filed June 12, 1967. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading); (1) (a) between Pittsburgh, Pa., and Columbus, Ga.; From Pittsburgh over U.S. Highway 19 through Washington, Pa., to Morgantown, W. Va. (also from Pittsburgh over Pennsylvania Highway 51 to Uniontown, Pa., thence over U.S. Highway 19 to Morgantown), thence over U.S. Highway 19 to Beckley, W. Va., thence over combined U.S. Highways 19 and 21 to Princeton, W. Va., thence over combined U.S. Highways 19 and 460 to Bluefield, W. Va., thence over combined U.S. Highways 21 and 52 to Wytheville, Va., thence over interstate Highway 81 to Fort Chriswell, Va., thence over U.S. Highway 52 through Winston-Salem, N.C., to Lexington, N.C., thence over Interstate Highway 85 (also over U.S. Highway 29) through Charlotte, N.C., to Greenville, S.C., thence over U.S. Highway 29 to Athens, Ga., thence over combined U.S. Highways 129 and 441 to junction U.S. Highway 129 and U.S. Highway 441 near Eatonton, Ga., thence over U.S. Highway 129 to

Macon, Ga., thence over U.S. Highway 80 to Columbus, and return over the same routes, serving the intermediate points of Macon and Athens, Ga., Greenville, S.C., and Gastonia, Charlotte, and Winston-Salem, N.C., and the off-route points of La Grange, Manchester, Warner-Robins, Warner-Robins Air Force Base, Augusta, and Savannah, Ga., Wilmington, Goldsboro, and Rocky Mount, N.C., points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301.

(b) From Pittsburgh to Greenville as described in (1)(a) above, thence over U.S. Highway 123 to junction combined U.S. Highways 123 and 76 near Clemson, S.C., thence over combined U.S. Highways 123 and 76 to junction U.S. Highway 123 and U.S. Highway 76 near Westminster, S.C., thence over U.S. Highway 123 to junction U.S. Highway 23, thence over U.S. Highway 23 to Atlanta, Ga. (also from Greenville over U.S. Highway 29 through Athens, Ga., to Atlanta) (also from Greenville over Interstate Highway 85 to Atlanta), thence over Georgia Highway 85 to junction U.S. Highway Alternate 27, thence over U.S. Highway Alternate 27 and Georgia Highway 85 to Columbus, Ga. (also from Atlanta over combined U.S. Highways 41 and 19 to Griffin, Ga., thence over U.S. Highway 41 to junction U.S. Highway 23 near Forsyth, Ga., thence over combined U.S. Highways 41 and 23 to Macon, Ga., thence over U.S. Highway 80 to Columbus), and return over the same routes, serving the intermediate points of Atlanta, Athens, Macon, Manchester, and Griffin, Ga., Greenville, S.C., Gastonia, Charlotte, and Winston-Salem, N.C., and the off-route points of Rome, Dalton, Calhoun, La Grange, Hedges, Plainville, Warner-Robins, Warner-Robins Air Force Base, Augusta, and Savannah, Ga., Wilmington, Goldsboro, and Rocky Mount, N.C., points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301; and (c) from Pittsburgh to Wytheville, Va., as described in (1)(a) above, thence over U.S. Highway 11 to Bristol, Tenn. (also from Pittsburgh over Interstate Highway 81 to Bristol), thence over U.S. Highway 11W to Knoxville, Tenn., thence over combined Interstate Highways 40 and 75 to junction U.S. Highway 27 near Harriman, Tenn., thence over U.S. Highway 27 to Chattanooga, Tenn., thence over combined U.S. Highways 41 and 76 to junction U.S. Highway 41 and U.S. Highway 76 at Dalton, Ga., thence over U.S. Highway 41 to Atlanta, Ga., thence to Columbus, Ga., as described in (1)(b) above, and return over the same routes, serving the intermediate points of Dalton, Calhoun, Atlanta, Macon, Manchester, Griffin, Ga., and the off-route points of Rome, Plainville, Hedges, La Grange, Warner-Robins, Warner-Robins Air Force Base, and Athens, Ga.

(2) Between Newcomerstown, Ohio, and Columbus, Ga.: From Newcomers-

town over U.S. Highway 21 (also over Interstate Highway 77) to Charleston, W. Va., thence over combined Interstate Highways 64 and 77 (West Virginia Turnpike) to junction Interstate Highway 77 and Interstate Highway 64, thence over Interstate Highway 77 to junction combined U.S. Highways 219 and 460 near Princeton, W. Va., thence over combined U.S. Highways 219 and 460 and combined U.S. Highways 19 and 460 to Bluefield, W. Va., thence to Columbus, Ga., as described in (1) above, and return over the same routes, serving Newcomerstown, Ohio, for purposes of joinder only, and serving the intermediate points of Dalton, Calhoun, Manchester, Atlanta, Griffin, Macon, and Athens, Ga., Greenville, S.C., Gastonia, Charlotte, and Winston-Salem, N.C., and the off-route points of Rome, Dalton, Calhoun, Plainville, Hedges, La Grange, Manchester, Augusta, Athens, Savannah, Warner Robins, and Warner Robins Air Force Base, Ga., Wilmington, Goldsboro, and Rocky Mount, N.C., points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301; (3) between Athens, Ohio, and Columbus, Ga.: From Athens, over U.S. Highway 33 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction U.S. Highway 33, thence over U.S. Highway 33 to junction U.S. Highway 21 (also junction Interstate Highway 77), near Ripley, W. Va., thence over U.S. Highway 21 (also Interstate Highway 77) to Charleston, W. Va., thence to Columbus as described in (2) above, and return over the same routes, serving Athens, Ohio, for purposes of joinder only and serving the intermediate and off-route points named in (2) above; (4) between Cincinnati, Ohio, and Columbus, Ga.:

(a) From Cincinnati over U.S. Highway 25 to Lexington, Ky. (also from Cincinnati over combined Interstate Highways 71 and 75 to junction Interstate Highway 71 and Interstate Highway 75, thence over Interstate Highway 75 to Lexington, Ky.), thence over U.S. Highway 27 to Chattanooga, Tenn., thence over combined U.S. Highways 41 and 76 to junction U.S. Highway 41 and U.S. Highway 76 at or near Dalton, Ga., thence over U.S. Highway 41 to Atlanta, Ga., thence to Columbus, Ga., as described in (1) above, and return over the same routes, serving the intermediate and off-route points named in (1)(c) above; (b) from Cincinnati to Lexington, Ky., as described in (4)(a) above, thence over combined U.S. Highways 421 and 25 to junction U.S. Highway 421 and U.S. Highway 25 at or near Terrill, Ky., thence over U.S. Highway 25 to Corbin, Ky., thence over U.S. Highway 25W to Knoxville, Tenn., thence over U.S. Highway 129 to junction U.S. Highway 411 at Maryville, Tenn., thence over U.S. Highway 411 to junction U.S. Highway 41 near Cartersville, Ga., thence over U.S. Highway 41 to Atlanta, Ga., thence to Columbus, as described in (1) above, and return over the same routes, serving the intermediate points of Atlanta, Macon, Grif-

fin, and Manchester, Ga., and the off-route points of La Grange, Athens, Warner-Robins, and Warner-Robins Air Force Base, Ga.; (c) from Cincinnati over U.S. Highway 52 to Bluefield, W. Va., thence to Columbus, Ga., as described in (1) (a) and (b) above, and return over the same routes, serving the intermediate and off-route points named in (1) (a) and (b) above; (d) from Cincinnati to Lexington, Ky., as described in (4) (a) above, thence over combined U.S. Highways 421 and 25 to junction U.S. Highway 421 and U.S. Highway 25 at Terrill, Ky., thence over U.S. Highway 421 to junction U.S. Highway 58 at Dot, Va., thence over combined U.S. Highways 421 and 58 to Bristol, Tenn., thence over U.S. Highway 421 to Winston-Salem, N.C., thence to Columbus, Ga., as described in (1) (a) and (b) above, and return over the same routes, serving the intermediate and off-route points named in (1) (a) and (b) above.

(e) From Cincinnati to Corbin, Ky., as described in (4) (b) above, thence over U.S. Highway 25E to Newport, Tenn., thence over combined U.S. Highways 25 and 70 to Asheville, N.C., thence over U.S. Highway 25 to Greenville, S.C., thence to Columbus, Ga., as described in (1) (a) and (b) above, and return over the same routes, serving the intermediate points of Atlanta, Athens, Macon, Griffin, and Manchester, Ga., Greenville, S.C., Asheville, N.C., and the off-route points of Rome, Dalton, Calhoun, Hedges, Plainville, La Grange, Manchester, Savannah, Augusta, Warner-Robins, and Warner-Robins Air Force Base, Ga., points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301; (f) from Cincinnati to Asheville, N.C., as described in (4) (e) above, thence over U.S. Highway 74 to junction U.S. Highway 29 near Kings Mountain, N.C., thence over combined U.S. Highways 74 and 29 to Charlotte, N.C., thence to Columbus, Ga., as described in (1) (a) and (b) above, and return over the same routes, serving the intermediate points of Atlanta, Athens, Macon, Griffin, and Manchester, Ga., Greenville, S.C., and Charlotte, Gastonia, and Asheville, N.C., and the off-route points of Rome, Dalton, Calhoun, Hedges, Plainville, La Grange, Manchester, Savannah, Augusta, Warner-Robins, and Warner-Robins Air Force Base, Ga., Wilmington, N.C., points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301; (5) between Louisville, Ky., and Columbus, Ga.: (a) From Louisville, over U.S. Highway 60 to Lexington, Ky. (also from Louisville over Interstate Highway 64 to Lexington), thence to Columbus, Ga., as described in (4) (a), (b), and (d)-(f) above, and return over the same routes, serving the intermediate and off-route points named in (4) above;

(b) From Louisville over U.S. Highway 60 (also over Interstate Highway 64), to junction U.S. Highway 127 west of Frankfort, Ky., thence over U.S. Highway 127 to junction U.S. Highway 150

at Danville, Ky., thence over U.S. Highway 150 to junction U.S. Highway 25 at Mount Vernon, Ky., thence over U.S. Highway 25 to Corbin, Ky., thence to Columbus, Ga., as described in (4) (b), (e), and (f) above, and return over the same routes, serving the intermediate and off-route points named in (4) (b), (e), and (f) above; (6) serving in connection with each of the above-described routes: (a) Points within 15 miles of Atlanta, Ga., except with respect to route (1) (a) above; and (b) points within 5 miles of Macon and Columbus, Ga.; restricted against service between points in North Carolina, South Carolina, and Georgia; for 180 days. NOTE: Applicant states that it intends to tack the authority sought with its existing authority in MC 10761 and sub numbers thereunder at Pittsburgh, Pa.; Newcomerstown, Athens, and Cincinnati, Ohio; and Louisville, Ky. Applicant further states that it intends to interline at points on its authorized regular routes and at service points on routes sought in this application if the traffic tendered is destined to or originated at a point Transamerican is not authorized to serve. Supporting shippers: A list of the names and addresses of 363 supporting shippers is attached to the application, which may be examined at the Interstate Commerce Commission, in Washington, D.C. The supporting statements may be examined at the field office named below. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 55811 (Sub-No. 90 TA), filed June 12, 1967. Applicant: CRAIG TRUCKING, INC., Route 67, Albany, Ind. 47320. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic bottles*, from Columbus, Ohio, to Indianapolis, Ind., and Detroit, Mich.; for 180 days. Supporting shipper: Liqui-Box Corp., 1300 Corrugated Way, Post Office Box 2418, Columbus, Ohio 43203. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 60251 (Sub-No. 8 TA), filed June 13, 1967. Applicant: P & D TRANSPORTATION, INC., Connell Highway, Newport, R.I. 02840. Applicant's representative: Robert J. Gallagher, Professional Building, 66 Central Street, Wellesley, Mass. 02181. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used household goods*, restricted to shipments moving on the through bill of lading of a forwarder operating under section 402(B)(2) exemption, and having an immediate, prior or subsequent line haul movement by rail, motor, water, or air; between points in Rhode Island and points in Norfolk, Worcester, Bristol, Plymouth, Barnstable, Middlesex, and Dukes Counties, Mass.; for 180 days. NOTE: Applicant states that the pro-

posed service is limited to providing a local service for a forwarder of used household goods. Supporting shippers: American Ensign Van Service, Inc., Post Office Box 2270, Wilmington, Calif. 90744; and Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash. 98133. Send protests to: Gerald H. Curry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 187 Westminster Street, Providence, R.I. 02903.

No. MC 66562 (Sub-No. 2240 TA), filed June 12, 1967. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: Elmer F. Slovacek, Railway Express Agency, Inc., Suite 1008, 105 West Madison Street, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between Burlington, Iowa, and Omaha, Nebr., as follows: West from Burlington over U.S. Highway 34 to junction U.S. Highway 71, thence south over U.S. Highway 71 to Villisca, Iowa, thence return over U.S. Highway 71 to junction U.S. Highway 34, thence west over U.S. Highway 34 to junction Iowa Highway 166, thence south over Iowa Highway 166 to Hastings, Iowa, thence return over Iowa Highway 166 to junction U.S. Highway 34, thence west over U.S. Highway 34 to junction Iowa Highway 41, thence south over Iowa Highway 41 to Malvern, Iowa, thence return to junction U.S. Highway 34, thence west over U.S. Highway 34 to junction U.S. Highway 275, thence north over U.S. Highway 275 to Omaha, Nebr., and return over the same route, serving the intermediate points of New London, Mount Pleasant, Fairfield, Ottumwa, Osceola, Afton, and Glenwood, Iowa, and the off-route points of Albia, Chariton, Creston, Corning, Red Oak, and Emerson, Iowa; for 150 days. NOTE: Applicant states that it intends to tack authority here applied for to other authority held by it under MC 66562 and sub numbers thereunder. Supporting shipper: None other than Railway Express Agency. Send protests to: Stephen P. Tomany, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 116763 (Sub-No. 114 TA), filed June 9, 1967. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Legal Address: 906 Magnolia Avenue, Auburndale, Fla. Applicant's representative: Carl Subler (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Washing and cleaning compounds, fuel lighting liquids, antifreeze, lubricating oils, tools, and items used or useful in painting*, when moving with paint, from Chicago Heights, Ill., to points in Florida, and those points in Georgia on and south of U.S. Highway 80; and (2) *paint, stain, varnish, tools, and items used or useful in painting, washing and cleaning compounds, fuel lighting liquids, antifreeze,*

and lubricating oils, from Chicago Heights, Ill., to Dothan and Huntsville, Ala.; for 180 days. Supporting shipper: Montgomery Ward Paint Factory, Chicago Heights, Ill. 60411. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 116967 (Sub-No. 10 TA), filed June 12, 1967. Applicant: MARTIN WONDAAL, doing business as MARTIN WONDAAL AND SONS, 2857 Ridge Road, Lansing, Ill. 60438. Applicant's representative: Martin Wondaal (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glazed cement, slag blocks, and related materials* used in the manufacture thereof, from Chicago, Ill., to points in Kentucky, to be performed under a continuing contract with Structural Glazed Masonry, Chicago, Ill.; for 150 days. Supporting shipper: Structural Glazed Masonry, Inc., 9236 South Anthony, Chicago, Ill. Send protests to: Roger L. Buchanan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 117037 (Sub-No. 3 TA), filed June 12, 1967. Applicant: CLAYTON B. GILBERT III, doing business as C. B. GILBERT, Post Office Box 7399, Nashville, Tenn. 37210. Applicant's representative: C. B. Gilbert (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, from Nashville, Tenn., to points in Logan County, Ky.; for 180 days. Supporting shipper: American Bread Co., 702 Murfreesboro Road, Nashville, Tenn. 37210. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

No. MC 125624 (Sub-No. 6 TA) (Correction), filed May 4, 1967, published in FEDERAL REGISTER, issue of May 12, 1967, corrected, and republished as corrected, this issue. Applicant: EVERGREEN FREIGHT LINES, INC., East 5205 Union Avenue, Spokane, Wash. 99207. Applicant's representative: Hugh A. Dressel, 702 Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: Regular route: *Nonscheduled service as a carrier of general freight*, (1) between Spokane, Dishman, Gieger Field, and Fairchild Air Force Base, Wash., on the one hand, and, on the other, Keller, Republic, Wauconda, Malo, and Curlew, Wash.: From Spokane over U.S. Highway 2 to Wilbur, thence over Washington Highway 4 to Republic, thence over Washington Highway 4 to Wauconda, and from Republic, over Washington Highway 4A to Malo and Curlew, no service to be rendered from, to, or between, intermediate points not named; (2) between Spokane, Wash., and Kettle Falls and Orient, Wash., and

intermediate points: From Spokane over U.S. Highway 2 to Davenport, thence over Washington Highway 22 to Kettle Falls, thence over U.S. Highway 395 to Orient, also from Kettle Falls over Washington Highway 3P to Republic, and from Spokane over U.S. Highway 395 to Kettle Falls, no local service to be rendered between Spokane and Davenport or between Spokane and Springdale; (3) between Spokane, Wash., and Inchellum, Wash., and points within a 10-mile radius of Inchellum: From Spokane over U.S. Highway 2 to junction Washington Highway 22, thence over Washington Highway 22 to Inchellum; and return over the same routes. Irregular route: *Nonradial service as a carrier of household goods, machinery, consisting of farm equipment only, agricultural commodities, consisting of hay, straw, grain, feed, and livestock only, and forest products, consisting of fuel wood only*, in Stevens, Lincoln, Spokane, and Ferry Counties and intercounty; *unmanufactured or unprocessed agricultural commodities*, from points of production on farms for distances not exceeding 50 miles in said counties.

Irregular route: *Radial service as a carrier of building materials* (except cement in bulk, in tank or bottom dump vehicles or similar specialized equipment), between Spokane, Wash., on the one hand, and, on the other, points in Ferry and Stevens Counties; *agricultural commodities, farm supplies, and grain*, between farms in the vicinity of Cedonia, Hunters, and Fruitland, Wash., on the one hand, and, on the other, Spokane, Wash.; *milk and cream*, from farms within 5-road-miles on either side of Washington Highways 4 and 4A in Ferry County and Washington Highway 22 in Stevens County to processing plants in Spokane, Wash., and from farms within 5 miles of either side of Addy-Gifford Road to Spokane, with no service between Davenport, Wash., and Spokane, Wash.; for 180 days. Note: Waiver of Rule 16 is granted to permit carrier to transport copies of the daily and Sunday editions of the Spokesman-Review and Spokane Chronicle in the territory now served; also, bread being bought and sold. Applicant states that it intends to tack the authority here applied for with other authority, under MC 125624 and subs thereunder. It further states that the interline point is Spokane, Wash. The purpose of this republication is to set forth applicant's intention to interline and tack, previously inadvertently omitted. Supporting shippers: There are 20 shippers' supporting statements attached to application which, may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 125962 (Sub-No. 2 TA), filed June 12, 1967. Applicant: AAA TRUCKING, INC., Route 6, Box 28-A, Brookhaven, Miss. 39601. Applicant's representative: Donald B. Morrison, Post

Office Box 961, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Benton, Canton, Cary, Fayette, Jackson, Natchez, Vicksburg, and Yazoo City, Miss., to New Orleans, La.; for the account of and under a continuing contract with R. N. Templeman, Inc., New Orleans, La.; for 180 days. Supporting shipper: R. N. Templeman, Inc., Post Office Box 51448, New Orleans, La. 70150. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 312-A U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 128981 (Sub-No. 1 TA), filed June 12, 1967. Applicant: LAND-AIR DELIVERY, INC., 413 Lou Holland Drive, Kansas City, Mo. 64116. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, explosives, and household goods), in an unscheduled express service; restricted to movements having an immediately prior or subsequent air haul, and in substituted motor for air service; (1) between the Municipal Airport, Mid-Continent International Airport, and Fairfax Airport located within the Kansas City, Mo.-Kans., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Missouri, Kansas, Nebraska, Oklahoma, and Texas; and (2) between Municipal Airport, Wichita, Kans., on the one hand, and, on the other, points in Kansas, Oklahoma, Texas, Colorado, and Missouri; for 180 days. Supporting shipper: Panhandle Eastern Pipe Line Co., Post Office Box 1348, Kansas City, Mo. 64141. Send protests to: Vernon V. Coble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo.

No. MC 129117 (Sub-No. 1 TA), filed June 12, 1967. Applicant: JOHN A. LAWLOR, 158 Morton Boulevard, Plainview, Long Island, N.Y. 11800. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Artificial flowers and artificial flower arrangements*, from White Plains, N.Y., to points in the New York, N.Y., commercial zone; for 150 days. Supporting shipper: Corham Artificial Flower Co., 214 Central Avenue, White Plains, N.Y. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 129149 (Sub-No. 1 TA), filed June 12, 1967. Applicant: ELLIS HAINES, doing business as HAINES TRUCK LINES, 995 Washington Street, Bushnell, Ill. 61422. Applicant's representative: Robert T. Lawley, 306-308 Reich Building, Springfield, Ill. 62701. Authority sought to operate as a *contract*

carrier, by motor vehicle, over irregular routes, transporting: *Gravity flow wagon boxes and component parts thereof*, from Bushnell, Ill., to points in Iowa, Indiana, Kansas, Missouri, Michigan, Minnesota, Nebraska, and Kansas; for the account of Bushnell Illinois Tank Co., Bushnell, Ill.; for 180 days. Supporting shipper: Bushnell Illinois Tank Co., 110 East Davis Street, Bushnell, Ill. 61422. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 129156 TA, filed June 9, 1967. Applicant: DAVID WELLS, doing business as GIDDI-UP-GO HORSE TRANSPORTATION, 2722 East Nesbitt, Phoenix, Ariz. 85032. Applicant's representative: A. Michael Bernstein, 1327 Guaranty Bank Building, 3550 North Central, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Horses*, valuable for breeding, racing, show purposes, and other special uses along with *tack, equipment, and supplies, mascots, and trainers* transported together with said horses, between points in Arizona, California, Oregon, Washington, Colorado, New Mexico, Texas, Illinois, Nebraska, Missouri, and Kansas, for 180 days. Supporting shippers: R. D. Beren, 6526 East Exeter Boulevard, Scottsdale, Ariz.; Walter Greenman, 1660 West Bell Road, Phoenix, Ariz.; Albert Vizcaya, Ak-Sar-Ben Race Track, c/o Stable Gate, Omaha, Nebr.; Wayne Branch, Golden Gate Field, c/o Stable Gate, Berkeley, Calif.; and Richard Hazelton, 18202 North 13th Avenue, Phoenix, Ariz. Send protests to: Andrew V. Baylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 129158 TA, filed June 12, 1967. Applicant: DESERT VAN & STORAGE, INC., Post Office Box 965, Barstow, Calif. 92311. Applicant's representative: Carl H. Fritze, 1010 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, restricted to shipments moving on a through bill of lading of a freight forwarder operating under section 402(B)(2), and further restricted to shipments having a prior or subsequent line-haul movement by rail, motor, water, or air; for 180 days. Supporting shippers: Continental Forwarders, Inc., 105 Leonard Street, New York, N.Y.; Routed Thru-Pac, Inc., 350 Broadway, New York, N.Y.; Pyramid Van Lines, 479 South Airport Boulevard, South San Francisco, Calif.; Burnham World Forwarders, Inc., 1632 Second Avenue, Columbus, Ga. 31901; Swift Home-Wrap, Inc., 105 Leonard Street, New York, N.Y. 10013; and Northwest Consolidators, Post Office Box 3583, Terminal Annex, Seattle, Wash. 98124. Send protests to: John E. Nance, District Supervisor, Bureau of Operations, Inter-

state Commerce Commission, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 129164 TA, filed June 13, 1967. Applicant: MEMPHIS-ALABAMA XPRESS, INC., 4926 Stillwood Drive, Nashville, Tenn. 37220. Applicant's representative: C. G. Parsley, 4926 Stillwood Drive, Nashville, Tenn. 37220. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading); (1) between Memphis, Tenn., and points within 10 miles thereof, on the one hand, and, on the other, Florence, Ala., and points within 10 miles thereof, over U.S. Highway 72; and (2) between Memphis, Tenn., and Florence, Ala., as follows: From Memphis over U.S. Highway 64 to Savannah, Tenn., thence over Tennessee Highway 69 and Alabama Highway 20 to Florence; and return over the same routes; serving the off-route points in (1) and (2) above, of Sheffield, Tuscumbia, and Muscle Shoals, Ala., and points within 10 miles of each, and Russellville, Ala.; for 180 days. Note: Applicant states that authority to interchange is sought at all service points; closed doors at all intermediate points. Supporting shippers: There are 89 shippers' supporting statements attached to application which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

MOTOR CARRIER OF PASSENGERS

No. MC 82007 (Sub-No. 2 TA), filed June 12, 1967. Applicant: SAMUEL COOPER GREGG, Yorklyn, Del. 19736. Applicant's representative: Macdonald and McInerney, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter service, from Wilmington, Del., and points in Delaware within 10 miles of Wilmington, to New York, N.Y., and Stratford, Conn.; for 150 days. Supporting shippers: Wimodausis Club, Hockessin, Del.; St. Peter's Cathedral, Wilmington, Del.; Christ Church, Greenville, Del.; Wilmer F. Williams, Wilmington, Del.; Alexis I. du Pont Special School District, Greenville, Del.; Dorsey Peterson, Chairman, Board of Trustees, Chippey Chapel Church, Hockessin, Del.; and John Dickinson High School District, Wilmington, Del. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 206 Old Post Office Building, Salisbury, Md. 21801.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.
[F.R. Doc. 67-6950; Filed, June 20, 1967;
8:47 a.m.]

[Notice 451]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 16, 1967.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation routes herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 2234 (Deviation No. 1), SEAVER'S EXPRESS, INC., 25 East Main Street, Milford, Mass. 01757, filed June 7, 1967. Carrier's representative: Joseph A. Kline, 185 Devonshire Street, Boston, Mass. 02110. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Providence, R.I., over Interstate Highway 95 to Boston, Mass., (2) from Providence, R.I., over Interstate Highway 95 to junction Massachusetts Highway 128, thence over Massachusetts Highway 128 to junction with the Southeast Expressway thence over the Southeast Expressway to Boston, Mass., and (3) from Milford, Mass., over Massachusetts Highway 109 to junction Massachusetts Highway 128, thence over Massachusetts Highway 128 to junction with the Southeast Expressway, thence over the Southeast Expressway to Boston, Mass., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes, as follows: (1) From Boston, Mass., over city streets and connecting highways to Brookline, Mass., thence over Massachusetts Highway 9 to junction Massachusetts Highway 126, thence over Massachusetts Highway 126 to Holliston, Mass., thence over Massachusetts Highway 16 to Milford, Mass., (2) from Boston, Mass., over city streets and connecting highways to Watertown, Mass.,

thence over Massachusetts Highway 16 to Milford, Mass., (3) from Milford, Mass., over Massachusetts Highway 16 to junction Massachusetts Highway 140, thence over Massachusetts Highway 140 to Wrentham, Mass., thence over Massachusetts Highway 1A to junction U.S. Highway 1, thence over U.S. Highway 1 to Providence, R.I., and (4) from Milford, Mass., over Massachusetts Highway 16 to junction Massachusetts Highway 140, thence over Massachusetts Highway 140 to Bellingham, Mass., thence over Massachusetts Highway 126 to the Massachusetts-Rhode Island State line, thence over unnumbered highway to Woonsocket, R.I., thence over Rhode Island Highway 122 to Pawtucket, R.I., thence over city streets to Providence, R.I. (also from Woonsocket over Rhode Island Highway 146 to Providence), and return over the same routes.

No. MC 71743 (Deviation No. 3), BELLM FREIGHT LINES, INC., 1819 North 17th Street, St. Louis, Mo. 63106, filed June 2, 1967. Applicant proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 66 and Interstate Highway 270 over Interstate Highway 270 to junction U.S. Highway 67, thence over U.S. Highway 67 to junction U.S. Highway 66 in St. Louis, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From St. Louis, Mo., over U.S. Highway 66 to junction Illinois Highway 4, thence over Illinois Highway 4 to Staunton, Ill., thence over U.S. Highway 66 via Littlefield and Springfield, Ill., to Bloomington, Ill., and (2) from Quincy, Ill., over Illinois Highway 96 to junction U.S. Highway 36, thence over U.S. Highway 36 to Jacksonville, Ill., thence over U.S. Highway 67 to Alton, Ill., thence over Illinois Highway 3 to junction unnumbered highway (formerly Alternate U.S. Highway 67), thence over unnumbered highway to junction Illinois Highway 203, thence over Illinois Highway 203 to junction U.S. Highway 460, thence over U.S. Highway 460 to St. Louis, Mo., and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 50026 (Deviation No. 7), ARKANSAS MOTOR COACHES LIMITED, INC., 100 East Markham Street, Little Rock, Ark. 72201, filed June 5, 1967. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Homan, Ark., over Interstate Highway 30 to junction U.S. Highway 59-71, thence over U.S. Highway 59-71 to Texarkana, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Memphis, Tenn., over

U.S. Highway 70 to Hot Springs National Park, Ark., thence over Arkansas Highway 7 to Arkadelphia, Ark., thence over U.S. Highway 67 to Texarkana, Tex.

No. MC 50026 (Deviation No. 8), ARKANSAS MOTOR COACHES LIMITED, INC., 100 East Markham Street, Little Rock, Ark. 72201, filed June 5, 1967. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: (1) From junction Arkansas Highway 7 and Interstate Highway 30, over Interstate Highway 30 to junction Arkansas Highway 8, thence over Arkansas Highway 8, an access road, to Arkadelphia, Ark., a distance of 7.1 miles, and (2) from Arkadelphia, Ark., over Arkansas Highway 8, an access road, to junction Interstate Highway 30, thence over Interstate Highway 30 to junction Arkansas Highway 26, thence over Arkansas Highway 26 to junction U.S. Highway 67, a distance of 7.6 miles, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Memphis, Tenn., over U.S. Highway 70 to Hot Springs National Park, Ark., thence over Arkansas Highway 7 to Arkadelphia, Ark., thence over U.S. Highway 67 to Texarkana, Tex., and return over the same route.

No. MC 61616 (Deviation No. 21), MIDWEST BUSLINES, INC., 433 West Washington Avenue, North Little Rock, Ark., filed June 5, 1967. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: (1) From junction Arkansas Highway 7 and Interstate Highway 30 over Interstate Highway 30 to junction Arkansas Highway 8, thence over Arkansas Highway 8, an access road, to Arkadelphia, Ark., a distance of 7.1 miles, and (2) from Arkadelphia, Ark., over Arkansas Highway 8, an access road, to junction Interstate Highway 30, thence over Interstate Highway 30 to junction Arkansas Highway 26, thence over Arkansas Highway 26 to junction U.S. Highway 67, a distance of 7.6 miles, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: (1) From St. Louis, Mo., over U.S. Highway 67 to Judsonia, Ark., thence over U.S. Highway 67 to junction U.S. Highway 67C, thence over U.S. Highway 67C to junction U.S. Highway 67, thence over U.S. Highway 67 to Maud, Tex., and (2) from Benton, Ark., over U.S. Highway 70 to Hot Springs, Ark., thence over Arkansas Highway 7 to Arkadelphia, Ark., and return over the same routes.

No. MC 61616 (Deviation No. 22), MIDWEST BUSLINES, INC., 433 West Washington Avenue, North Little Rock, Ark., filed June 5, 1967. Carrier proposes to operate as a common carrier, by motor

vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Homan, Ark., over Interstate Highway 30 to junction U.S. Highway 59-71, thence over U.S. Highway 59-71 to Texarkana, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 67 to Judsonia, Ark., thence over U.S. Highway 67 to junction U.S. Highway 67C, thence over U.S. Highway 67C to junction U.S. Highway 67, thence over U.S. Highway 67 to Maud, Tex., and return over the same route.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-6951; Filed, June 20, 1967;
8:47 a.m.]

[Notice 1076]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 16, 1967.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

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

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 30844 (Sub-No. 231) (Republication), filed January 13, 1967, published FEDERAL REGISTER issue of February 2, 1967, and republished this issue. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. By application filed January 13, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, of security equipment, such as is used in prisons and other institutions where persons are confined, from Waterloo, Iowa, to points in the United States (except Alaska, Arizona, Hawaii, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming). An Order of the Commission, Operating Rights Board No. 1, dated May 31, 1967, and served June 14,

1967, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *prison security equipment and prison furniture*, from Waterloo, Iowa, to points in the United States (except Alaska, Arizona, Hawaii, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for further appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 36222 (Sub-No. 9) (Republication), filed July 15, 1966, published FEDERAL REGISTER issue of August 4, 1966, and republished this issue. Applicant: JOHN L. FANSHAW, JR., doing business as CREWE TRANSFER, Crewe, Va. Applicant's representative: Jno. C. Goddin, Insurance Building, 10 South 10th Street, Richmond, Va. 23219. By application filed July 15, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, of (1) wearing apparel, on hangers, loose in bundles, hampers or cartons, and (2) cut and uncut goods, trimmings, and articles used in the manufacturing of wearing apparel, between Amelia, Va., and Crewe, Va.; from Amelia, Va., over U.S. Highway 360 to junction Virginia Highway 49, thence over Virginia Highway 49 to Crewe, Va., and return over the same route. An Order of the Commission, Operating Rights Board No. 1 dated May 19, 1967, and served June 8, 1967, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle over *irregular routes*, of (1) *wearing apparel*, from Amelia, Va., to Crewe, Va., and (2) *materials and supplies* used in the manufacture of wearing apparel, from Crewe, Va., to Amelia, Va.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be

prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 79658 (Sub-No. 10) (Republication), filed July 12, 1965, published FEDERAL REGISTER issue of August 4, 1965, and republished this issue. Applicant: ATLAS VAN LINES, INC., 1212 St. George Road, Evansville, Ind. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. A Report of the Commission, Division 1, decided May 23, 1967, and served June 9, 1967, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle over irregular routes of (1) *household goods* as defined by the Commission, (a) between points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; (b) between points in Colorado, Kansas, Nebraska, New Mexico, Utah, and Wyoming, restricted against the transportation of shipments between any two points, both of which are in the same State, except as to Colorado, Kansas, and Nebraska, (c) between points in the States described in (1) (a), above, on the one hand, and, on the other, points in Arizona, California, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; (d) between points in California, Idaho, Oregon, and Washington.

(e) Between points in Colorado and Wyoming, on the one hand and, on the other, points in Arizona, Idaho, Montana, and South Dakota, and (f) between Denver, Colo., on the one hand and, on the other, points in Colorado, and (2) *emigrant moveables*, between points in Minnesota; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that a certificate authorizing the service described above should be granted on receipt of a request by applicant in writing for the coincidental cancellation of its certificates No. MC 79658 and Sub-Nos. 5, 6, and 7 thereto, issued respectively on April 27, 1962, March 31, 1964, April 2, 1964, and April 6, 1964. Because it is

possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 111045 (Sub-No. 54) (Republication), filed February 6, 1967, published FEDERAL REGISTER issue of February 24, 1967 and republished this issue. Applicant: REDWING CARRIERS, INC., Post Office Box 426, Palm River Road, Tampa, Fla. 33601. Applicant's representative: David E. Wells (same address as applicant). By application filed February 6, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *corn starch*, in bulk, in covered hopper trucks, ex rail shipments, from Tampa and Jacksonville, Fla., to points in Florida. An order of the Commission, Operating Rights Board No. 1, dated May 31, 1967, and served June 13, 1967, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *corn starch*, in bulk, from Tampa and Jacksonville, Fla., to points in Florida, restricted to the transportation of traffic having a prior movement by rail; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 126555 (Sub-No. 5) (Republication), filed October 3, 1966, published FEDERAL REGISTER issue of October 27, 1966, and republished this issue. Applicant: UNIVERSAL TRANSPORT, INC., Post Office Box 268, Rapid City, S. Dak. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80203. By application filed October 3, 1966, applicant seeks a certificate of public convenience and necessity authorizing opera-

tion, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of cement in bags or bulk, between points in Brown County, S. Dak., on the one hand, and, on the other, points in North Dakota and Minnesota (except Duluth and Minneapolis-St. Paul), and from the plantsite of Northwestern States Portland Cement Co. at Fargo, N. Dak., and from the storage facility of Northwestern States Portland Cement Co. in Burnsville Township, Dakota County, Minn., to points in North Dakota and South Dakota. An order of the Commission, Operating Rights Board No. 1, dated May 19, 1967, and served June 9, 1967, as amended, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of cement, (1) from Aberdeen, S. Dak., to points in North Dakota and Minnesota, (2) from Bismarck, N. Dak. to points in South Dakota and Minnesota; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 128736 (Republication), filed November 30, 1966, published FEDERAL REGISTER issue of December 22, 1966 and republished this issue. Applicant: KELLY TRANSPORT, LTD., Kellys Cross, P.E.I., Prince Edward Island, Canada. Applicant's representative: Alfred G. Esposito, 12 Fargo Street, Boston, Mass., to the ports of entry on November 30, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of bananas, in the same vehicle with fresh fruits and vegetables, from Boston, Mass., to the ports of entry on the international boundary line between the United States and Canada, located at or near Calais and Houlton, Maine. An order of the Commission, Operating Rights Board No. 1, dated May 19, 1967, and served June 9, 1967, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of (1) bananas, when moving in the same vehicle, and at the same time with fresh

fruits and vegetables, and (2) fresh fruits and vegetables, when moving in the same vehicle and at the same time with bananas, from Boston, Mass., to those ports of entry on the international boundary line between the United States and Canada, located at or near Calais and Houlton, Maine; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 128834 (Republication), filed January 23, 1967, published FEDERAL REGISTER issue of February 9, 1967, and republished this issue. Applicant: BUNCH'S TRUCKING, INC., Murfreesboro, N.C. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. By application filed January 23, 1967, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes of dry fertilizer and fertilizer materials, in bags and in bulk, except in pneumatic or tank trailers, from Chesapeake, Va., to points in Hertford, Northampton, Bertie, Gates, and Halifax Counties, N.C., under contract with The Borden Chemical Co., Smith Douglass Division. An order of the Commission, Operating Rights Board No. 1, dated May 31, 1967, and served June 13, 1967, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of dry fertilizer materials, from Chesapeake, Va., to points in Hertford, Northampton, Bertie, Gates, and Halifax Counties, N.C., under a continuing contract with The Borden Chemical Co., Smith Douglas Division will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30

days from the date of such publication, during which period any proper party in interest may file an appropriate petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 128835 (Republication), filed January 23, 1967, published FEDERAL REGISTER issue of February 9, 1967, and republished this issue. Applicant: CAM-PAGNIE DE TRANSPORT DES LAURENTIDES LIMITEE, a corporation, 10100 Bruxelles Street, Montreal North, Quebec, Canada. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. By application filed January 23, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of passengers and their baggage, in round-trip charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada located in Michigan, New York, Vermont, New Hampshire, and Maine, and extending to points in the United States (except those in Alaska and Hawaii). An order of the Commission, Operating Rights Board No. 1 dated May 31, 1967, and served June 12, 1967, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of passengers and their baggage, in round-trip charter operations, between those ports of entry on the international boundary line between the United States and Canada located in Michigan, New York, Vermont, New Hampshire, and Maine, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITION

No. W-364 (Notice of Filing of Petition to Reopen "Grandfather" Application), filed May 1, 1967. Petitioner: CHARLES ZUBIK, JR., EXECUTOR, AND VIRGINIA ZUBIK DRAMBEL, EXECUTRIX OF ESTATE OF CHARLES ZUBIK, Pittsburgh, Pa. Peti-

tioner's representative: Ernie Adamson, Box 62, Middleburg, Va. 22117. Petitioner states that Charles Zubik was granted a certificate for towing vessels on the Ohio, Youghiogheny, Allegheny, Monongahela, and Knawha Rivers, under W-364; and that said Charles Zubik had begun operations as a water carrier in 1927, and rendered service by towing vessels and renting or chartering barges to shippers. Petitioners state that they have been informed that they may not rent or charter barges to shippers under authority granted in W-346. By the instant petition, petitioners request the Commission reopen this proceeding and after due consideration, modify certificate W-364 so as to permit the renting or chartering of barges to shippers, by them or to their assignees. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against, the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 7818, PETITION FOR WAIVER OF RULE 1.01(e) AND FOR LEAVE TO FILE PETITION FOR CLARIFICATION AND MODIFICATION OF CERTAIN AUTHORITY DESCRIBED IN CERTIFICATE MC 7818

Petitioner: M AND M HEAVY HAULERS CORP., 12400 Emmett Road, Akron, Ohio. Petitioner's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Petitioner presently holds a certificate of public convenience and necessity under No. MC 7818, issued November 4, 1964, as amended by order dated January 26, 1966, to reflect a change in corporate name from Ulrich Transfer, Inc., to M and M Heavy Haulers Corp. In the said certificate petitioner holds authority to transport household goods, as defined by the Commission, livestock, and heavy machinery, between points in Tuscarawas County, Ohio, on the one hand, and, on the other, points in Pennsylvania, West Virginia, and Ohio. Petitioner states that the Commission has given thorough consideration to heavy hauling operations since the issuance of petitioner's certificate and, as a result thereof petitioner's ability to continue its heavy hauling operations under the commodity description "heavy machinery" is being questioned. By the instant petition, petitioner requests that part of its certificate MC 7818 as pertains to "heavy machinery" be modified to read "commodities, the transportation of which because of size or weight require the use of special handling or special equipment, and of related articles and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require the use of special handling or special equipment". Any interested person desiring to participate, may file his written representations, views, or argument in support of, or against, the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 109417 (Sub-No. 1) and MC 124552 (Notice of filing of petition for

correction and modification of certificate), filed May 22, 1967. Petitioner: JOHN W. YOUNG, doing business as INTER-CITY TRANSIT AND OHIO VALLEY CHARTER SERVICE, Rural Delivery No. 2, East Liverpool, Ohio. Petitioner's certificate, which embraces the authority held pursuant to MC 124552, authorizes the transportation of passengers and their baggage, in the same vehicle with passengers, between Youngstown, Ohio, and Wheeling, W. Va., over specified regular routes, serving all intermediate points, and between Youngstown, Ohio, and junction Ohio Highway 7 and U.S. Highway 30 over specified regular routes, serving all intermediate points; and over irregular routes, in round-trip charter service, beginning and ending at points in Columbiana and Mahoning Counties (except Youngstown), Ohio, and extending to points in Pennsylvania, Maryland, West Virginia, Virginia, Michigan, New York, Florida, and the District of Columbia. By the instant petition, petitioner requests that the authority as granted in his certificate be corrected and modified so as to include "passengers, their baggage and express matter in the same vehicle with passengers". Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 115782 (Notice of filing of petition for modification of permit to include an additional contracting shipper), filed June 5, 1967. Petitioner: VAN METER TRUCKING CO., INC., 1020 West Ray Street, Indianapolis, Ind. Petitioner states it is a contract carrier under permit No. MC 115782 authorizing a transportation service in interstate or foreign commerce as specified below: Irregular routes: *Meats, meat products, and meat byproducts*, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (a) From Indianapolis, Ind., to points in Indiana (except that portion of Indiana on, south and west of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Indianapolis, and thence along Indiana Highway 37 to the Indiana-Kentucky State line), with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized hereinabove are limited to a transportation service to be performed under a continuing contract, or contracts, with the following shippers: Armour & Co., Wilson & Co., John Morrell & Co., E. Kahn Sons Co., The Rath Packing Co., Waterloo, Iowa, and Swift & Co., Chicago, Ill. (b) From Indianapolis, Ind., to points in that part of Indiana on, south, and west of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Indianapolis, Ind., and thence along Indiana Highway 37 to the Indiana-Kentucky State line, with no transportation for compensation on return except as otherwise authorized. Petitioner states

that it has been called upon to render the same type of service from Oscar Mayer & Co., Madison, Wis., to points in Indiana, including those in part (b) above, and in addition, to points in Indiana in part (a) above. By the instant petition, petitioner requests authority to add Oscar Mayer & Co., as an additional contracting shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER. Petitioner shall within a period 30 days from the date of this publication, file verified statements in support of the petition (including appropriate evidence of shipper support for the modification purposes).

No. MC 115841 (Notice of Filing of Petition for Modification of Existing Certificate), filed May 22, 1967. Petitioner: COLONIAL REFRIGERATED TRANSPORTATION, INC., Birmingham, Ala. Petitioner's representative: C. E. Wesley, Birmingham, Ala. Petitioner holds a certificate in No. MC 115841, dated November 21, 1966, a portion of which reads as follows: Fresh and frozen poultry, fresh and frozen seafood, and frozen fruits and vegetables, from points in Delaware, Maryland, and Virginia, east of the Chesapeake Bay and south of the Chesapeake and Delaware Canals, to points in Tennessee, with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner requests that this portion of its certificate be modified to read: "*Fresh and frozen poultry, fresh and frozen seafood, frozen fruits and vegetables* (currently authorized), and *frozen foods* when moving in mixed loads therewith, from points in Delaware, Maryland, and Virginia, east of the Chesapeake Bay and south of the Chesapeake and Delaware Canals, to points in Tennessee, with no transportation for compensation on return except as otherwise authorized". Any interested person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 123055 (Notice of Filing of Petition To Modify Permit by Adding a Shipper), filed May 1, 1967. Petitioner: C. J. O'BRIEN, doing business as TWIN CITIES-BRAINERD EXPRESS, Brainerd, Minn. Petitioner holds a permit authorizing the transportation of beer and malt beverages, from Milwaukee, Wis., to Brainerd, Minn., over specified regular routes, serving no intermediate points, limited to a transportation service to be performed under a continuing contract, or contracts, with Fruth Beverage Co. By the instant petition, petitioner seeks permission to add Russell Creamery Co. as a contracting shipper. Any interested person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 10955 (Sub-No. 11), filed May 29, 1967. Applicant: RENNER MOTOR LINES, INC., 622 West Waterloo Road, Akron, Ohio 44314. Applicant's representative: Homer S. Carpenter, 618 Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *General commodities* between Barberton, Ohio, on the one hand, and, on the other, points in Ohio, (2) *beer and ale*, between Akron, Ohio, on the one hand, and, on the other, points in Ohio, and (3) *household goods, office furniture, and fixtures* between points in Summit County, Ohio, on the one hand, and, on the other, points in Ohio, restricted against the transportation of household goods, office furniture, and fixtures from and to any point in Summit County, other than Barberton, where the principal place of business of a certificate holder operating van equipment is located. NOTE: This application is a matter directly related to Docket No. MC-F-9771, published FEDERAL REGISTER issue of June 7, 1967. Applicant indicates it will tack at Barberton, Ohio, to permit operations from points in Ohio, to points in West Virginia, Pennsylvania, Maryland, and the District of Columbia, and on return. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-9690 (Correction) (LYONS TRANSPORTATION LINES, INC.—Control and Purchase (Portion)—THE BETTER LINE CORP.; LEHMAN CARTAGE, INC.—Purchase (Portion)—THE BETTER LINE CORP.), published in the March 15, 1967, issue of the FEDERAL REGISTER, on page 4101. The authority sought is for control and merger by LYONS TRANSPORTATION LINES, INC., of the operating rights and property of THE BETTER LINE CORP., and for purchase by LEHMAN CARTAGE, INC., of a portion of the operating rights of THE BETTER LINE CORP., in lieu of LYONS TRANSPORTATION LINES, INC., to control and purchase a portion of the operating rights and property of THE BETTER LINE CORP.

No. MC-F-9748 (Correction) (GRAFF TRUCKING CO., INC.—Control and Merger—BELL MOTOR FREIGHT, INC.), published in the May 24, 1967, issue of the FEDERAL REGISTER, on page 7611. The authority sought is for purchase by GRAFF TRUCKING COM-

PANY, INC., of the operating rights and property of BELL MOTOR FREIGHT, INC., in lieu of control and merger.

No. MC-F-9779. Authority sought for control and merger by PIQUA TRANSFER & STORAGE CO., 524 Young Street, Piqua, Ohio 45356, of the operating rights and property of LITTLE TRANSFER LINE, INC., 330 East Sandusky Street, Findlay, Ohio 45840, and for acquisition by HOWARD LANE and FLOSSIE G. LANE, both of 1302 Maplewood, Piqua, Ohio, of control of such rights and property through the transaction. Applicants' attorney: James Muldoon, 50 West Broad Street, Columbus, Ohio 43215. Operating rights sought to be controlled and merged: *Household goods* as defined by the Commission, as a common carrier, over irregular routes, between points in Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, and West Virginia. PIQUA TRANSFER & STORAGE CO. is authorized to operate as a common carrier in Ohio, Indiana, Illinois, Pennsylvania, and Michigan. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9780. Authority sought for control by FRANK PETERLIN, 9651 South Ewing Avenue, Chicago, Ill., of BULK MOTOR TRANSPORT, INC., 440 Board of Trade Building, Kansas City, Mo. 64105. Applicants' attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Operating rights sought to be controlled: *Flour*, in bulk, in tank type vehicles, as a common carrier, over irregular routes, from St. Louis, Mo., Chicago, Ill., Detroit, Mich., and certain specified points in Ohio, to points in Illinois, Indiana, Ohio, and the Lower Peninsula of Michigan; *flour*, in bulk, between points in Kansas, Missouri, and Oklahoma, between points in Minnesota, between points in Minnesota, on the one hand, and, on the other, points in Iowa and Missouri, between points in Illinois, between points in Wisconsin, from points in Missouri, to points in Illinois and Wisconsin (except from St. Louis, Mo., to points in Illinois), between points in Georgia, Kentucky, North Carolina, Ohio, Pennsylvania, South Carolina, and West Virginia, between points in Georgia, Kentucky, North Carolina, Ohio, Pennsylvania, South Carolina, and West Virginia, on the one hand, and, on the other, points in Virginia except that no service is authorized from points in Virginia, to certain specified points in Pennsylvania; between points in Connecticut, Delaware, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Maine, with restrictions; between points in Illinois, Indiana, Ohio, and the Lower Peninsula of Michigan, between points in Tennessee, on the one hand, and, on the other, points in Georgia, South Carolina, and North Carolina, from Quincy, Mich., to points in Iowa, Nebraska, Missouri, and Oklahoma, from Chester, Ill., to points in Iowa, Missouri, Oklahoma, and Tennessee, from Davenport and Des Moines, Iowa, to points in that part of Illinois on and north of U.S. Highway 136, and to

that part of Wisconsin on and south of U.S. Highway 16, from Camp Hill, Pa., and Clifton, N.J., to Baltimore and Cumberland, Md., and Washington, D.C.; *commodities in bulk* (except flour and liquids), restricted to shipments having an immediately prior movement by rail; between points in Arkansas, Illinois, Iowa, Kansas, Missouri, and Oklahoma; *salt*, in bulk, in tank or hopper vehicles, from Hutchinson, Kans., to Kansas City and St. Joseph, Mo.; and *flour*, in bulk, in tank or hopper type vehicles, from Buffalo, N.Y., to Cleveland, Ohio. FRANK PETERLIN, individually holds no authority from this Commission. However, he is affiliated with PETERLIN CARTAGE CO., INC., 9651 South Ewing Street, Chicago, Ill. 60617, which is authorized to operate as a common carrier in Illinois, Indiana, Ohio, Michigan, Iowa, Kentucky, Minnesota, Wisconsin, Kansas, Missouri, North Dakota, South Dakota, Tennessee, and West Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC F-9781. Authority sought for purchase by DUFF TRUCK LINE, INC., Broadway and Vine Streets, Lima, Ohio 45802, of the operating rights and property of HARRY C. DECK, doing business as DELTA TRUCK LINES, 509 Main Street, Delta, Ohio 43515, and for acquisition by L. EUGENE DUFF, also of Lima, Ohio, of control of such rights and property through the purchase. Applicants' attorney: James Muldoon, 50 West Broad Street, Columbus, Ohio. Operating rights sought to be transferred: *General commodities*, except those of unusual value, and except high explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a common carrier, over a regular route, between Toledo, Ohio, and Delta, Ohio, serving the intermediate and off-route points of Crissey, Swanton, and Holland, Ohio. (Transferee proposes that that portion of the Toledo commercial zone, lying within the State of Michigan be deleted.) Vendee is authorized to operate as a common carrier, in the State of Ohio, and under a certificate of registration as a common carrier, within the State of Ohio. Application has not been filed for temporary authority under section 210a(b).

No. MC F-9782. Authority sought for control by SALVADOR L. D'ANTONI, SR., GERALD D'ANTONI, AND SALVADOR L. D'ANTONI, JR., 1345 Jefferson Highway, New Orleans, La. 70121, of T. L. MYDLAND TRUCK LINES, INC., 1345 Jefferson Highway, Post Office Box 10086, New Orleans, La. 70121. Applicants' attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington, D.C. 20036. Operating rights sought to be controlled: Authority applied for in pending Docket Nos. MC 127833 and MC 127833 Sub 2, covering the transportation of nonalcoholic beverages, in containers, as a contract carrier, over irregular routes, from the plantsite of the Coca-Cola Bottling Co., in Gretna, La., to points in

Louisiana and Mississippi, and Houston, Galveston, Port Arthur, and Beaumont, Tex., Pensacola, Fla., Mobile, Demopolis, Frisco City, and York, Ala.; and non-alcoholic beverages, in cans, from Gretna, La., to points in Tennessee, Arkansas, and Texas (except Houston, Galveston, Port Arthur, and Beaumont, and Gordo, Ala., under contract with The Louisiana Coca-Cola Bottling Co., Ltd. SALVADOR L. D'ANTONI, SR., GERALD D'ANTONI, and SALVADOR L. D'ANTONI, JR., individually hold no authority from this Commission. However, they are affiliated with S. D'ANTONI, INC., 1333 Jefferson Highway, Post Office Box 10052, New Orleans, La. 70121, which is authorized to operate as a contract carrier in Alabama, Mississippi, Louisiana, Florida, and Arkansas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9783. Authority sought for purchase by D & D TRUCKING COMPANY, Highway 70 West, Post Office Box 755, Conover, N.C. 28613, of the operating rights of CRESCENT EXPRESS, INC., Route No. 1, Box A 328, Statesville, N.C. 28677, and for acquisition by GEORGE RAY DEHART, also of Conover, N.C., of control of such rights through the purchase. Applicants' attorney: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Operating rights sought to be transferred: *Tungsten concentrates*, as a common carrier, over irregular routes, from points in Vance County, N.C., to Glen Cove and Long Island, N.Y., and Euclid, Ohio; *agricultural commodities*, from points in Vance and Warren Counties, N.C., to Washington, D.C., Philadelphia, Pa., and New York, N.Y.; *tobacco*, from points in North Carolina and Virginia within 100 miles of Henderson, N.C., to Henderson, N.C., from Henderson, N.C., and points in North Carolina and Virginia within 100 miles of Henderson, N.C., to certain specified points in North Carolina and Danville, Va., from certain specified points in North Carolina, to certain specified points in Virginia and North Carolina, with restriction; *carbide*, from Ivanhoe, Va., to certain specified points in North Carolina; *bagging and cotton ties*, from Henderson, N.C., to points in South Carolina and those in that part of Georgia on and east of U.S. Highway 1, from points in South Carolina to Henderson, N.C.; *seed and seed plants*, from Richmond, Va., and Baltimore, Md., and points in that part of South Carolina and Georgia on and east of U.S. Highway 1, to Henderson, N.C., and points in North Carolina and Virginia within 100 miles of Henderson, N.C., with restriction; *glass*, from Laurens, S.C., to Henderson, N.C.; *phosphate*, from Charleston, S.C., to Richmond, Va., *burlap bags*, from Richmond, Va., to Greenville and New Bern, N.C.; *groceries, feed, and glassware*, from certain specified points in Virginia, to Henderson, N.C.; *potatoes*, from Robersonville, N.C., and points within 25 miles of Robersonville, N.C., to Richmond and Norfolk, Va., Baltimore, Md., Philadelphia and Pittsburgh, Pa., New York, N.Y., Newark, N.J., and

Washington, D.C.; *cotton*, between points in North Carolina and South Carolina; and *new, used, and reconditioned furniture, store fixtures, and store display equipment*, between Henderson and Statesville, N.C., on the one hand, and, on the other, points in Georgia, South Carolina, and Virginia, with restriction. Vendee is authorized to operate under a certificate of registration, as a common carrier within the State of North Carolina. Application has been filed for temporary authority under section 210a(b). NOTE: MC 99644 Sub-No. 2 is a matter directly related.

No. MC-F-9784. Authority sought for control by BONDY CARTAGE, LIMITED, 2970 College Avenue, Windsor, Ontario, Canada, of MORRICE CARTAGE, LIMITED, 1985 Munsee, Windsor, Ontario, Canada, and for acquisition by HENRY T. BONDY, also of 2970 College Avenue, Windsor, Ontario, Canada, of control of MORRICE CARTAGE, LIMITED, through the acquisition by BONDY CARTAGE, LIMITED. Applicants' attorney: Rex Eames, 900 Guardian Building, Detroit, Mich. 48226. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier, over irregular routes, between Detroit, Mich., and points in Michigan within 8 miles of Detroit, on the one hand, and, on the other, the boundary of the United States and Canada, through the port of entry at Detroit. BONDY CARTAGE, LIMITED is authorized to operate as a common carrier in Michigan. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-6952; Filed, June 20, 1967;
8:47 a.m.]

[Notice 1535]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 16, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), 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-69593. By order of June 13, 1967, the Transfer Board approved the transfer to Reginald J. Taylor and George G. Taylor, Jr., a partnership, doing business as R. J. Taylor and G. G.

Taylor, Providence, R.I., of permit No. MC-19306, issued June 8, 1943, to Taylor Brothers Teaming Corp. of Rhode Island, Providence, R.I., and authorizing the transportation of general commodities, between points and places in Massachusetts, Connecticut, and Rhode Island, restricted to a service in which the carrier leases trucks with drivers to the shippers for the transportation of such shippers' property. Francis E. Nute, 177 Benefit Street, Providence, R.I. 02903 representative for applicants.

No. MC-FC-69653. By order of June 12, 1967, the Transfer Board approved the transfer to Payne Freight Lines, Inc., Mount Ayr, Iowa, of certificates Nos. MC-40719 and MC-40719 (Sub-No. 5), issued October 24, 1949, and June 8, 1967, respectively, to R. A. Payne, Roy Payne, and Troy Payne, a partnership, doing business as Payne Freight Lines, Mount Ayr, Iowa, and authorizing the transportation of among other, general commodities, except livestock and explosives, over a regular route between St. Joseph, Mo., and Tingley, Iowa, serving the intermediate and off-route points of Ellston, Beaconsfield, Kellerton, Maloy, and Blockton, Iowa; general commodities, with the usual exceptions, over a regular route between Tingley, Iowa, and Omaha, Nebr., serving all intermediate and off-route points within 10 miles of Tingley; also, over a regular route between Mount Ayr, Iowa, and St. Joseph, Mo., serving the intermediate and off-route points of Benton, Bedford, Diagonal, and Clearfield, Iowa; also over a regular route between Mount Ayr, Iowa, and Des Moines, serving no intermediate points; and, household goods, as defined in 17 M.C.C. 467, over irregular routes, between points and places in Ringgold County, Iowa, on the one hand, and, on the other, points and places in Missouri. Stephen Robinson, 2212 39th Street, Des Moines, Iowa 50310, attorney for applicants.

No. MC-FC-69665. By order of June 13, 1967, the Transfer Board approved the transfer to Javeco Trucking, a corporation, Torrance, Calif., of the certificate of registration in No. MC-121154 (Sub-No. 1), issued April 1, 1964, to John R. Webb, doing business as Webb Truck Co., Long Beach, Calif., and evidencing a right to engage in transportation in interstate or foreign commerce corresponding to the authority in certificate of public convenience and necessity granted in decision No. 12823, dated November 14, 1923, and transferred to transferor by decision No. 62797, dated November 14, 1961, by the Public Utilities Commission of California. William Davidson, 2455 East 27th Street, Vernon, Calif. 90058, representative for applicants.

No. MC-FC-69670. By order of June 12, 1967, the Transfer Board approved the transfer to Lambert Transfer & Storage, Inc., Opelika, Ala. 36801, of the operating rights of Thomas M. Lambert, Sr., doing business as Lambert Transfer Co., Opelika, Ala. 36801, in certificate No. MC-60083, issued March 29, 1955, authorizing the transportation,

over irregular routes, of household goods, as defined, between Opelika, Ala., and points within 50 miles of Opelika, except Columbus, Ga., on the one hand, and, on the other, points in Alabama, Georgia, Tennessee, Mississippi, and Florida, household goods, as defined, office furniture and equipment, and store fixtures, between Opelika, Ala., and points within 12 miles thereof, on the one hand, and, on the other, points in Georgia, cotton seed, cottonseed hulls, flowers, and shrubbery, from Opelika to points in Georgia, within 110 miles of Opelika, and meat, meat products, and meat byproducts, and dairy products as classified under (a) and (b) in the appendix to Modification of Permits of Motor Carriers of Packing House Products, and soap and soap products, and vegetable oil shortening, from Opelika, Ala., to points in Alabama and Georgia located within 50 miles of Opelika. J. Douglas Harris, 410 Bell Building, Montgomery, Ala. 36104, attorney for applicants.

No. MC-FC-69672. By order of June 13, 1967, the Transfer Board approved the transfer to Remo Transports, Inc., Route 4, Vinita, Okla., of certificate No. MC-127175 (Sub-No. 3) issued September 27, 1966, to Omer B. Williams and Thomas E. Williams, a partnership, doing business as White Oak Mill, Route 4, Vinita, Okla., authorizing the transportation of: Dry potash compounds and boron compounds, from points in Eddy and Lea Counties, N. Mex., to points in Kansas, Missouri, and Oklahoma.

No. MC-FC-69684. By order of June 12, 1967, the Transfer Board approved the transfer to Nady Express Co., Inc., Secaucus, N.J., of certificate No. MC-1826, issued December 10, 1940, to West Hoboken Transfer & Express Co., a corporation, Union City, N.J., and

authorizing the transportation of general commodities, with the usual exceptions, between Bronx, Kings, New York, and Queens Counties, N.Y., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J. John M. Zachara, Post Office Box Z, Paterson, N.J. 07509, representative for applicants.

No. MC-FC-69689. By order of June 13, 1967, the Transfer Board approved the transfer to Shanahan Transfer & Storage Co., a corporation, Pittsburgh, Pa. 15213, of the operating rights of Shanahan Transportation Co., a corporation, Pittsburgh, Pa. 15213, in certificate No. MC-60604, issued September 18, 1940, authorizing the transportation, over irregular routes, of household goods, between points in a described portion of Pennsylvania, on the one hand, and, on the other, points in Illinois, Maryland, Indiana, Michigan, New Jersey, New York, Ohio, Virginia, West Virginia, and the District of Columbia. William L. Jacob, 1506 Law and Finance Building, 429 Fourth Avenue, Pittsburgh, Pa. 15219, attorney for applicants.

No. MC-FC-69690. By order of June 13, 1967, the Transfer Board approved the transfer to Williams Truck Lines, Inc., Audubon, Iowa, of certificates Nos. MC-44989 and MC-44989 (Sub-No. 2), issued June 4, 1954 and March 23, 1956, respectively, to Walter L. Williams, doing business as Williams Truck Lines, Audubon, Iowa, authorizing the transportation of among other commodities, livestock, between Atlantic, Carroll, and Guthrie Center, Iowa, and Omaha, Nebr., over a specified regular route, serving the intermediate point of Harlan, Iowa, restricted to pickup only; livestock and feed, over a regular route between Omaha, Nebr., and Hamlin, Iowa, serving intermediate and off-route points within

15 miles of Hamlin; agricultural implements, over irregular routes, from Chicago, Rock Island, Canton, Rock Falls, and Moline, Ill., to Audubon and Exira, Iowa; twine, from Chicago, Ill., to Audubon and Exira, Iowa; sand and gravel, from Plattsmouth, Nebr., and points within 8 miles thereof to Hamlin, Iowa, and points within 15 miles thereof; and brooder houses, chicken houses, and portable farm houses, from Exira, Iowa, to points in Illinois, Indiana, Nebraska, Minnesota, and Wisconsin. Walter L. Williams, East Division North, Audubon, Iowa 50025, representative for applicants.

No. MC-FC-69691. By order of June 12, 1967, the Transfer Board approved the transfer to William R. Fentress, doing business as Walt's Drive-A-Way Service, Evansville, Ind., in certificates Nos. MC-126717 and MC-126717 (Sub-No. 2), issued September 30, 1965, and June 23, 1966, respectively, authorizing the transportation, over irregular routes, of truck-mounted cranes, in initial movements, in driveaway service, from Evansville, Ind., to points in Alaska, Alabama, Arkansas, California, Connecticut, Florida, Illinois, Kentucky, Maine, Maryland, Mississippi, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, and Virginia, and of chassis, for self-propelled cranes, in initial movements, in driveaway service, from Tulsa, Okla., and Clintonville, Wis., to Evansville, Ind., and Erie, Pa. Davis M. Keck, 316 Old National Bank Building, Evansville, Ind. 47708, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-6953; Filed, June 20, 1967;
8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

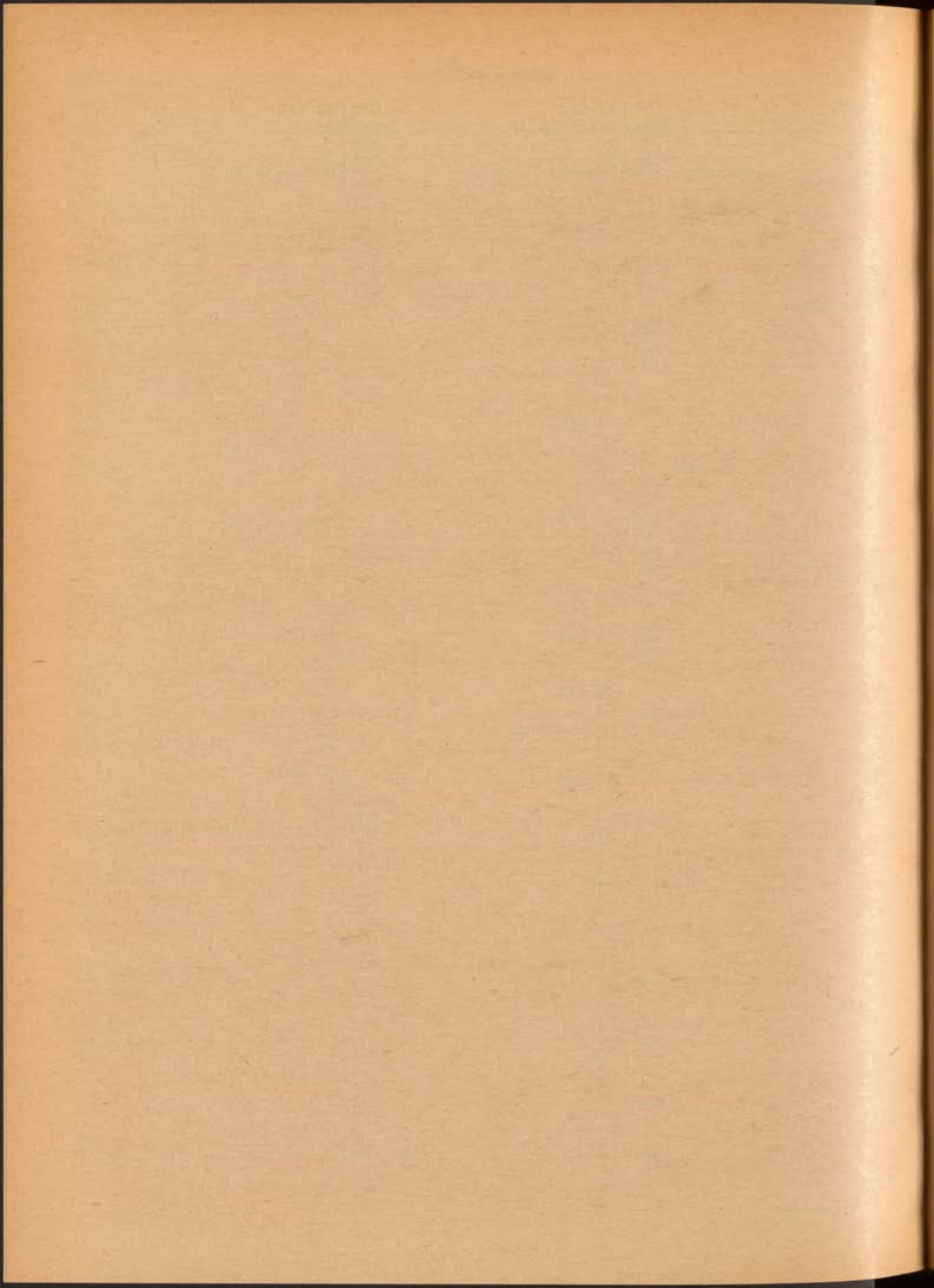
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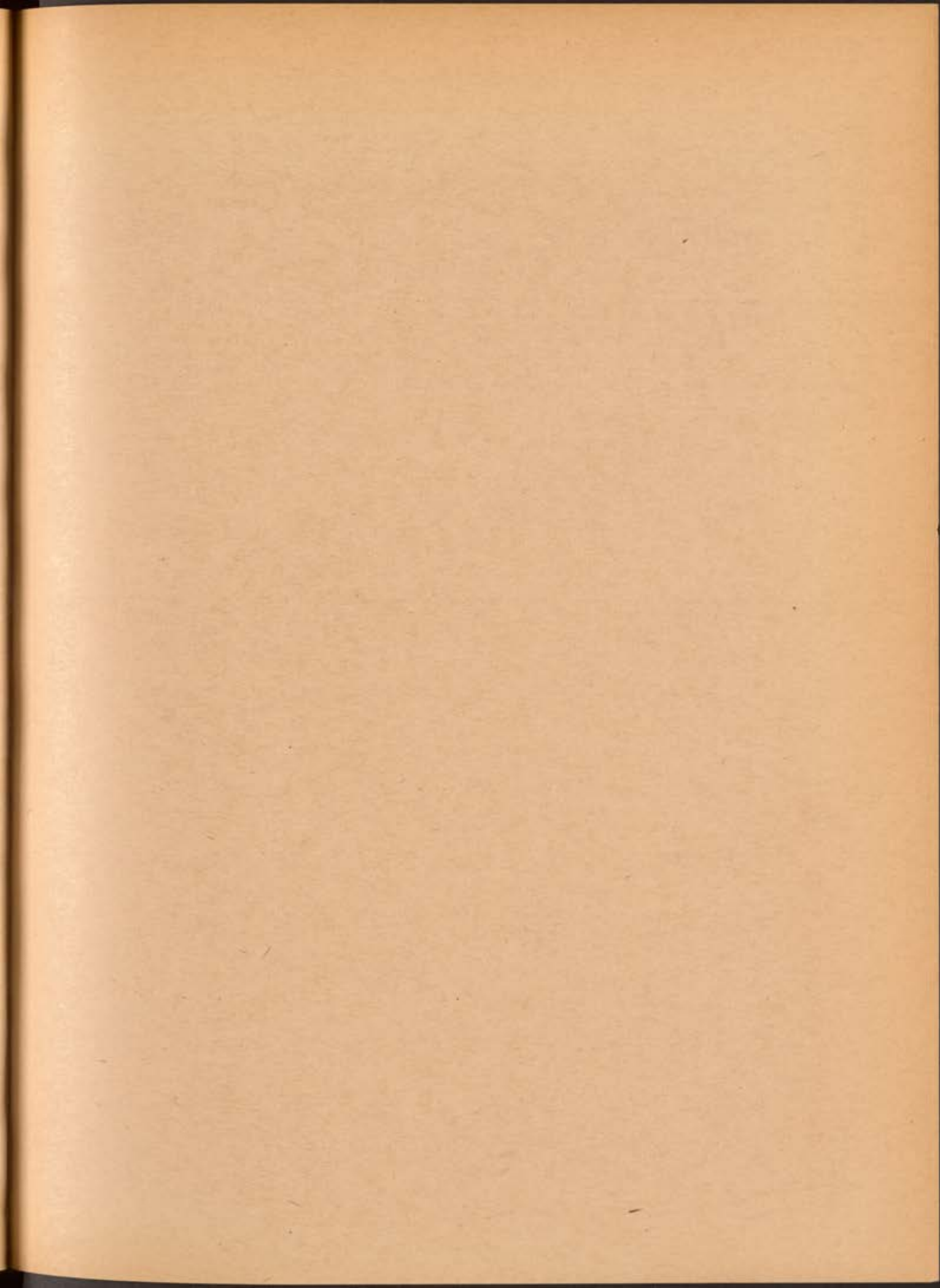
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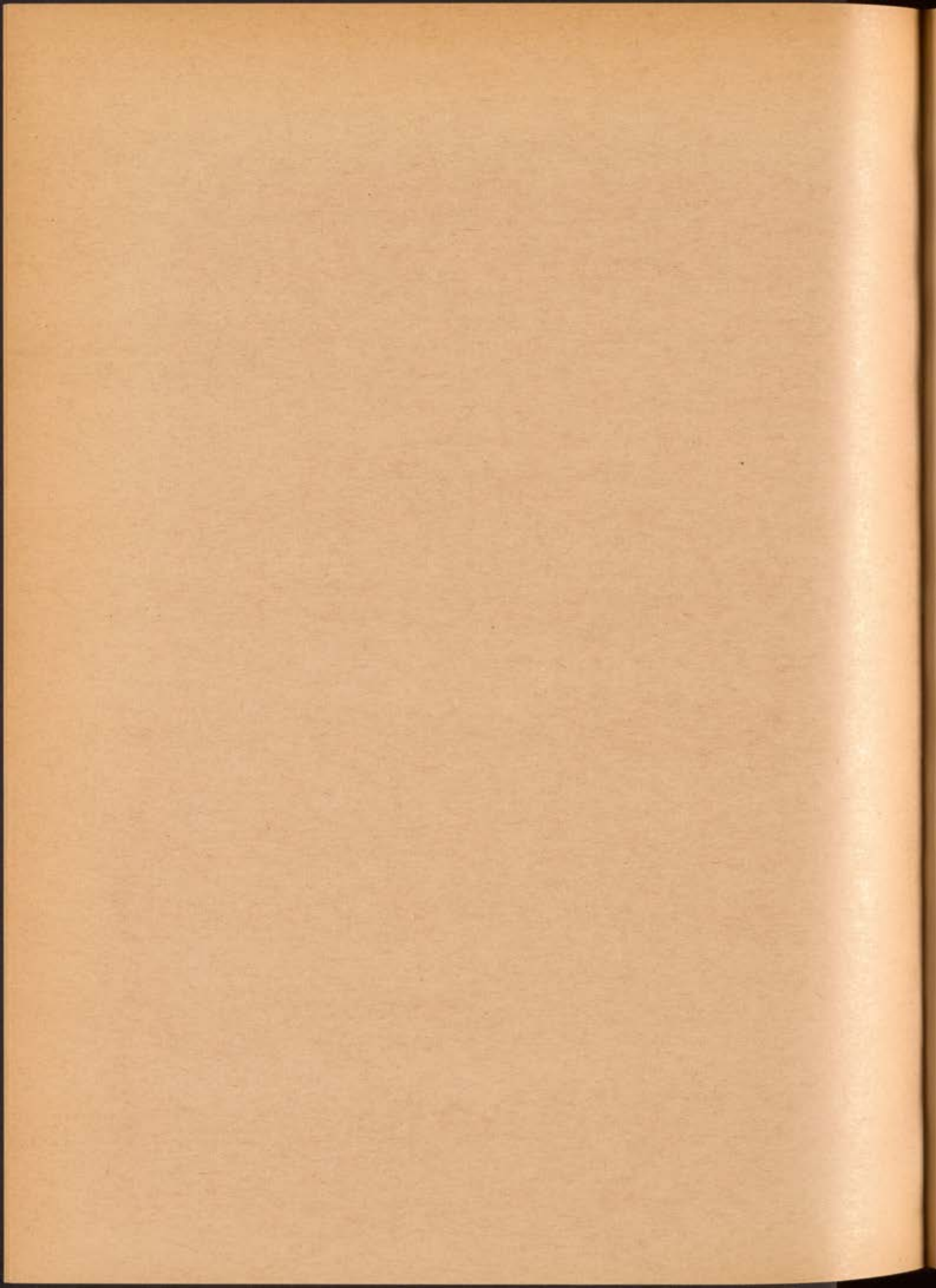
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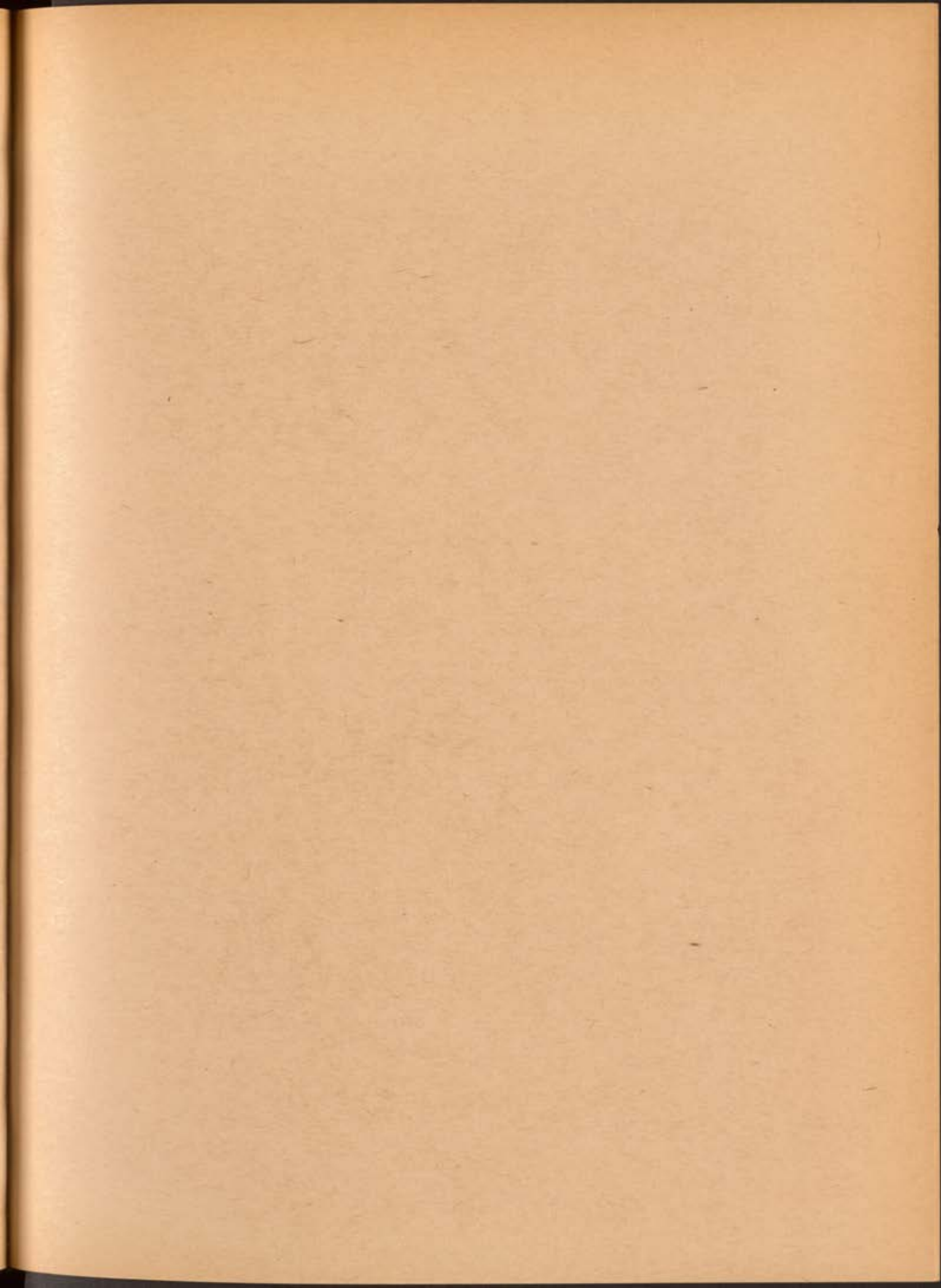
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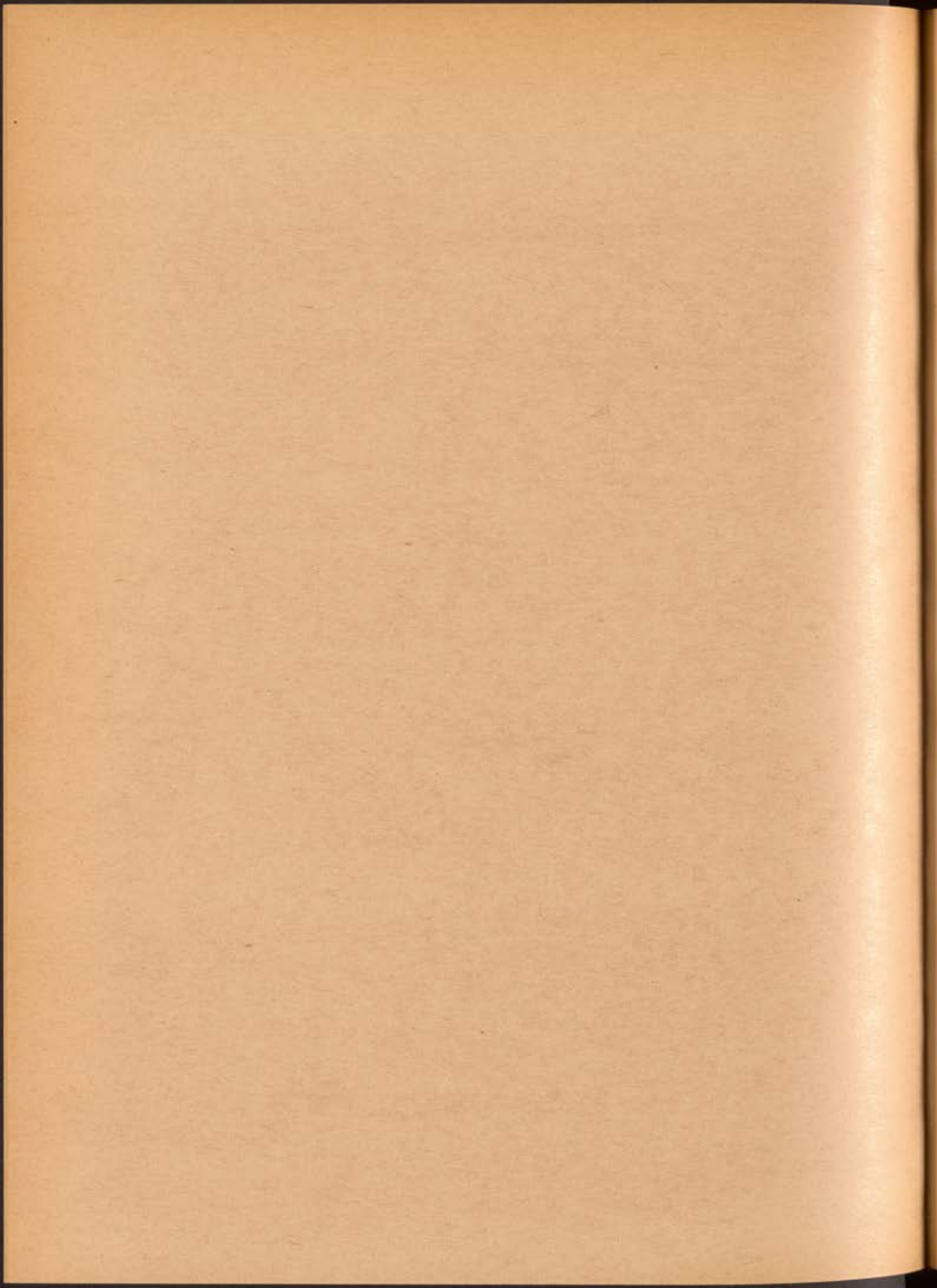
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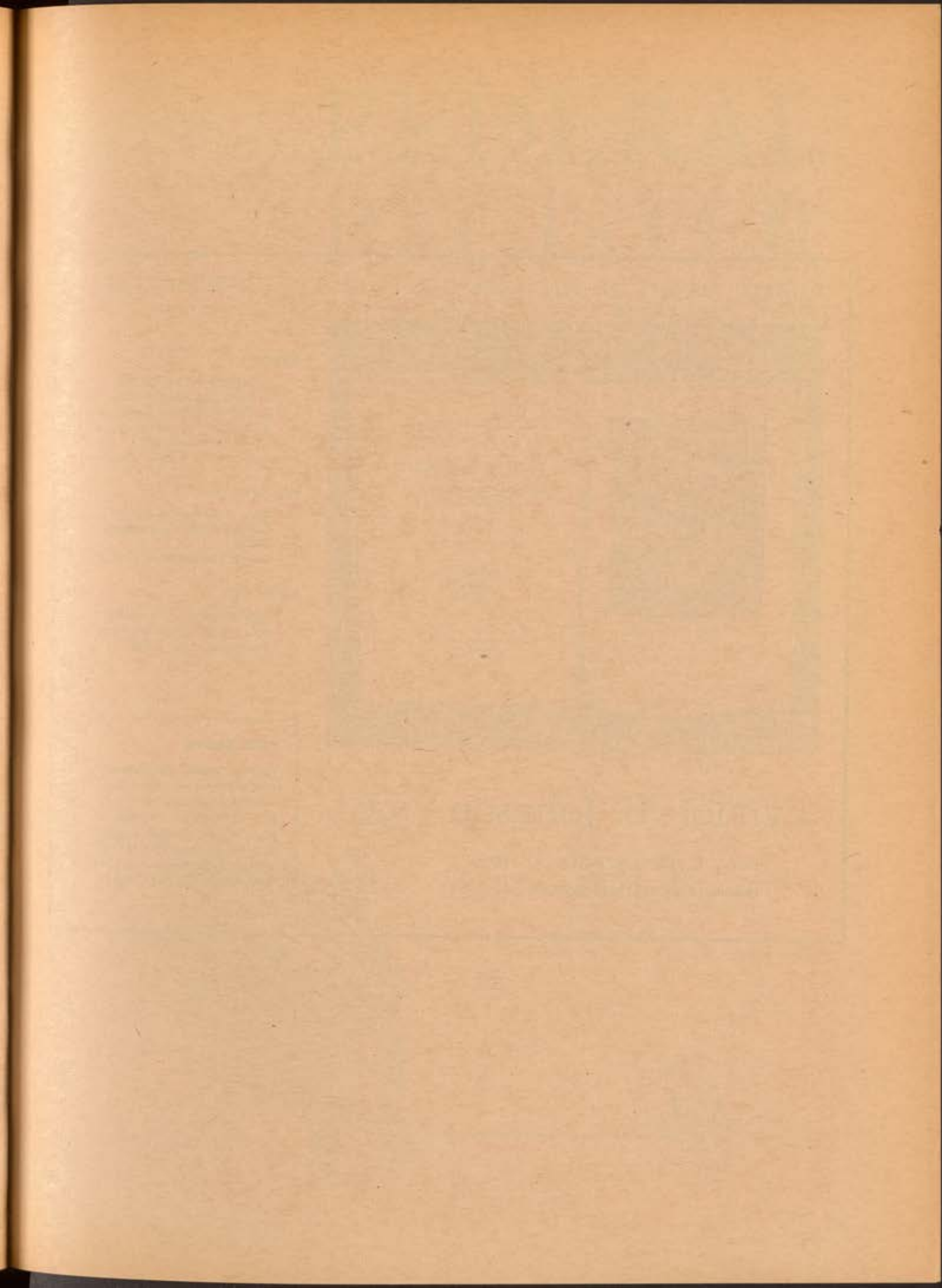




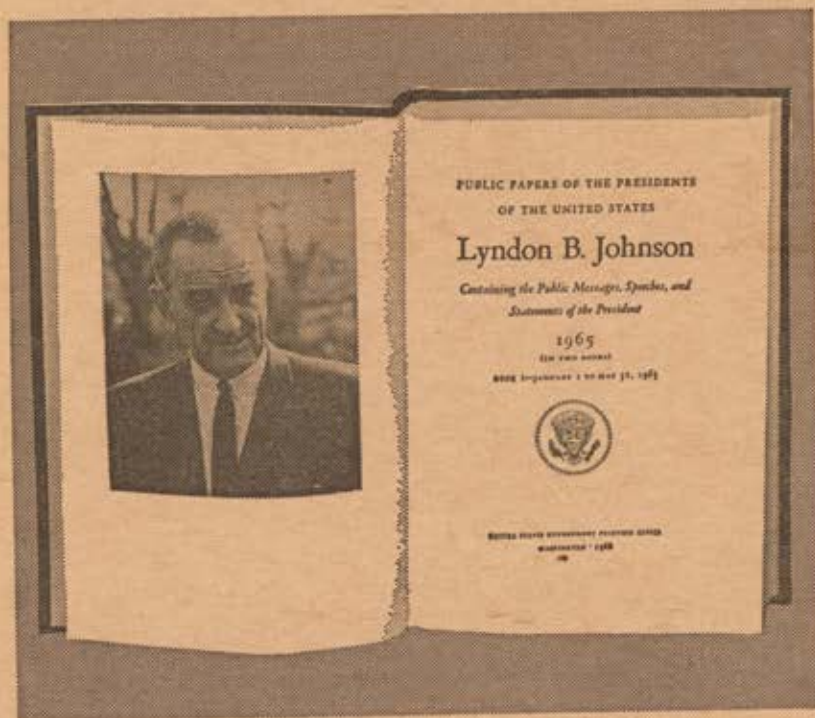








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Lyndon B. Johnson—1965

BOOK I (January 1—May 31, 1965)

BOOK II (June 1—December 31, 1965)

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