

# FEDERAL REGISTER

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Civil Service Commission  
Commodity Credit Corporation  
Comptroller of the Currency  
Consumer and Marketing Service  
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**FEDERAL REGISTER**

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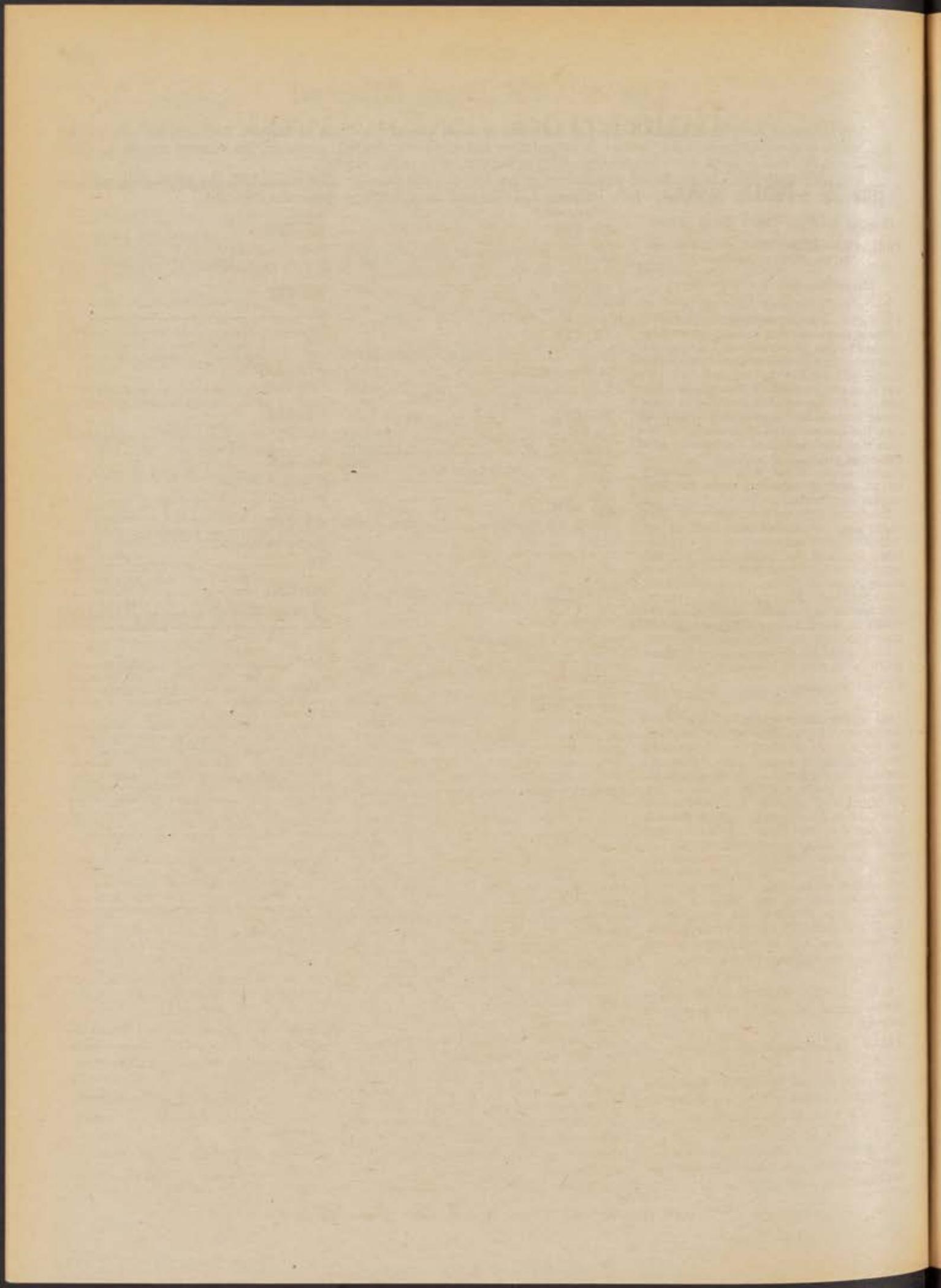
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# Rules and Regulations

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 133—CONTROLLED CIRCULATION PUBLICATIONS

##### Miscellaneous Amendments

In the daily issue of June 18, 1970 (35 FR. 10022) the Department published a notice of proposed rule making proposing changes in the Department's regulations relating to controlled circulation publications (39 CFR 133.2, 133.3, 133.6). It was proposed to require that copies submitted with an application for a controlled circulation permit be marked to show the nonadvertising content; to require that the address of a publisher of a controlled publication include the Street number where there is carrier delivery service; and to amend § 133.6 for purposes of clarification.

Interested persons were given 30 days within which to submit comments on the proposals. After consideration of all comments received the Department has determined to adopt the proposals, without change. Accordingly, the following amendments to Title 39, Code of Federal Regulations, are hereby made, to be effective on the 30th day after the date of this publication in the FEDERAL REGISTER.

1. In § 133.2 *Permits*, amend paragraph (b) to read as follows:

##### § 133.2 Permits.

(b) *Applications.* Apply by letter to the postmaster at the office where mailings are to be made. A form is not provided for this kind of application. State the name of the publication, frequency of issue, where published, the name of the publisher, and whether the publication is circulated free or mainly free. Submit two copies of the issue published nearest to the date of application marked to show the nonadvertising content as required by § 133.4. The postmaster will submit the application and one copy of the publication to the Office of Mail Classification, Finance and Administration Department. Notice of authorization or disapproval will be furnished by the Director, Office of Mail Classification.

2. In § 133.3 *Identification statements*, amend paragraph (d) to read as follows:

##### § 133.3 Identification statements.

(d) Address of publisher, including street and number when there is carrier delivery service, and the ZIP Code.

3. Section 133.6 *Addressing, preparation for mailing, and collection of postage* is amended to read as follows:

§ 133.6 *Addressing, preparation for mailing, weighing, and collection of postage.*

See § 123.7 of this chapter for applicable addressing requirements; §§ 126.1 through 126.3(c) of this chapter for applicable preparation requirements; and § 126.8 of this chapter for weighing and collection of postage procedures.

(5 U.S.C. 301, 39 U.S.C. 501, 4421)

DAVID A. NELSON,  
General Counsel.

[F.R. Doc. 70-17304; Filed, Dec. 23, 1970;  
8:45 a.m.]

## Title 7—AGRICULTURE

### Subtitle A—Office of the Secretary of Agriculture

[Amdt. 5]

#### PART 20—LIMITATION OF IMPORTS OF MEAT

##### Subpart—Section 204 Import Regulations

##### RESTRICTION ON THE IMPORTATION OF MEAT FROM GUATEMALA

Section 20.3 is amended by adding a new paragraph prohibiting the importation of meat in excess of 23.2 million pounds from Guatemala during the calendar year 1970. This regulation is issued with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations to carry out a bilateral agreement negotiated with the Government of Guatemala pursuant to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854). Since the action taken herewith has been determined to involve foreign affairs functions of the United States, this amendment and the request to the Commissioner of Customs, being necessary to the implementation of such action, fall within the foreign affairs exception to the notice and effective date provision of 5 U.S.C. 553 (Supp. V, 1970).

The subpart, section 204 Import Regulations of Part 20, Subtitle A of Title 7 (35 F.R. 10837, as amended), is amended by adding to § 20.3 the following new paragraph:

##### § 20.3 Restrictions.

(f) *Imports from Guatemala.* No more than 23.2 million pounds of meat which is the product of Guatemala may be entered, or withdrawn from warehouse, for consumption in the United States during the calendar year 1970. Appendix F hereto sets forth a letter to the Commissioner of Customs concurred in by the Secretary of State and Special Representative for Trade Negotiations re-

questing this limitation be placed in effect.

Effective date: The regulation contained in the amendment shall become effective upon publication in the FEDERAL REGISTER but meat released under the provisions of section 448(b) of the Tariff Act of 1930 (19 U.S.C. 1448(b)) prior to such date shall not be denied entry.

(Sec. 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and E.O. 11539)

Issued at Washington, D.C., this 22d day of December 1970.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

##### APPENDIX F

DECEMBER 22, 1970.

HON. MYLES J. AMBROSE,  
Commissioner of Customs,  
Department of the Treasury,  
Washington, D.C. 20220.

DEAR MR. AMBROSE: A bilateral agreement has been negotiated with the Government of Guatemala pursuant to section 204 of the Agricultural Act of 1956, limiting the export from Guatemala and the importation into the United States of fresh, chilled, or frozen cattle meat (item 106.10 of the Tariff Schedules of the United States) and fresh, chilled, or frozen meat of goats and sheep, except lambs (item 106.20 of the Tariff Schedules of the United States), during the calendar year 1970. In accordance with the authority delegated by E.O. 11539, dated June 30, 1970, the Secretary of Agriculture is, with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations, issuing a regulation to assist in carrying out this bilateral agreement.

This regulation provides that no more than 23.2 million pounds of meat of the above description, the product of Guatemala, may be entered, or withdrawn from warehouse, for consumption in the United States during the calendar year 1970. This regulation will constitute amendment 5 to the Section 204 Import Regulation (35 F.R. 10837, as amended). A copy of this regulation, which will be published in the FEDERAL REGISTER, is enclosed.

In accordance with E.O. 11539, you are requested to take such actions as is necessary to implement this regulation. This request is made with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations.

Sincerely,

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 70-17425; Filed, Dec. 23, 1970;  
9:30 a.m.]

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

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

##### Expenses and Rate of Assessment

Notice was published in the December 5, 1970, issue of the FEDERAL REGISTER

(35 F.R. 18537) that consideration was being given to a proposal regarding an increase in the expenses previously approved for the fiscal period March 1, 1970, through February 28, 1971, pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh pears, plums, and peaches grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

(a) After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice and the recommendation thereof which was submitted by the Control Committee (established pursuant to the said marketing agreement and order); *It is hereby ordered*, That the provisions pertaining to expenses in paragraph (a) of § 917.209 Expenses and rate of assessment (35 F.R. 10000) be, and hereby are, amended to read as follows:

§ 917.209 Expenses and rate of assessment.

(a) Expenses. Expenses that are reasonable and likely to be incurred during the fiscal period March 1, 1970, through February 28, 1971, will amount to \$356,940.

(b) It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the increase in the budget set forth does not involve an increase in the rate of assessment heretofore established by the Secretary (35 F.R. 10000); (2) the said committee has incurred expenses in excess of that previously thought likely to be incurred; and (3) it is essential that the specification of expenses herein provided be issued immediately so as that said committee can meet its obligations and perform its duties and functions within the fiscal period in accordance with the said marketing agreement and order.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

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

Dated: December 21, 1970.

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

[F.R. Doc. 70-17376; Filed, Dec. 23, 1970; 8:50 a.m.]

## PART 932—OLIVES GROWN IN CALIFORNIA

### Subpart—Rules and Regulations

#### MISCELLANEOUS AMENDMENTS

Notice is hereby given of the approval of amendment, as hereinafter set forth, of the rules and regulations (Subpart—Rules and Regulations; 7 CFR 932.108-932.161; 35 F.R. 13772, 14436, 13877, 14381, 17778) currently effective pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 932, as amended (7 CFR Part 932), regulating the handling of olives grown in California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The amendment of said rules and regulations was unanimously recommended by the Olive Administrative Committee, established under said marketing agreement and order as the agency to administer the terms and provisions thereof.

With regard to the amendment of § 932.155 *Special purpose shipments*, the provisions of paragraph (b) in § 932.55 *Exemption* permit the Secretary to relieve from any or all requirements under this part the handling of olives for such specified purposes as the committee, with the approval of the Secretary, may prescribe. Pursuant to the foregoing, the amendment of § 932.155 adds provisions permitting handlers to use processed olives in the production of "quartered style" olives except that the processed olives must (1) be of such quality that, if used in the production of canned pitted ripe olives, they would result in packaged olives meeting the specifications of U.S. Grade C for the Pitted style, and (2) meet the applicable minimum sizes currently specified in § 932.153(a) for processed olives used in the production of halved, sliced, chopped, or minced styles of canned ripe olives. Furthermore, the quartered olives could be packaged only in No. 10 size cans or larger containers.

The amendment reflects the committee's desire to afford, to olive handlers, an opportunity to produce a "quartered style" of olives for which a considerable industrial demand has been indicated by a major food manufacturer. Said manufacturer has indicated its need for "quartered style" olives to use in the development and distribution of several new food products. Because of the limited and developmental purpose of the amendment it would, by its own provisions, terminate on August 31, 1971.

The amendment involving paragraph (d) in § 932.149 *Modified grade requirements for specified styles of canned olives of the ripe type* would delete "pieces of slices" from the types of units that are not permitted in Chopped or Minced style of canned ripe olives except for a 5 percent tolerance. The current prohibition of such units is part of a modification of the U.S. Grade C specifications for Chopped or Minced style of canned ripe olives which modification was included in an amendment to the rules and regulations effective September 14, 1970, through August 31, 1971. The commit-

tee's current recommendation reflects handlers' experience which has shown that the exclusion of "pieces of slices" from Chopped or Minced style olives is impractical and unduly difficult to accomplish.

It is hereby found that amendment of said rules and regulations as hereinafter set forth is in accordance with the provisions of the marketing agreement and order, and will tend to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended. Therefore, said rules and regulations are hereby amended as follows:

1. The provisions of § 932.149(d) are amended to read as follows:

§ 932.149 Modified grade requirements for specified styles of canned olives of the ripe type.

(d) During the period December 21, 1970, through August 31, 1971, Chopped or Minced style of canned ripe olives, as set forth in the U.S. Standards for Canned Ripe Olives (§ 52.3753(e) of this title), shall grade at least U.S. Grade C and shall be practically free from identifiable units of pit caps, end slices, and slices ("practically free from identifiable units" means that not more than 5 percent, by weight, of the units of Chopped or Minced style of olives may be identifiable pit caps, end slices, or slices).

2. The provisions of § 932.155 are amended by adding a new paragraph (d) reading as follows:

§ 932.155 Special purpose shipments.

(d) Processed olives which, if used in the production of canned pitted ripe olives would result in packaged olives meeting the specifications of U.S. Grade C for Pitted style of canned ripe olives (§ 52.3753(b) of this title) and the current applicable minimum size requirements in § 932.153(a), 35 F.R. 13877, may be used in the production of canned ripe quartered olives (quartered olives means pitted olives that have been cut lengthwise into quarters, i.e., four approximately equal parts): *Provided*, That such packaged olives are in No. 10 size cans or larger containers and are handled only for use as one of the ingredients in manufactured food products.

It is hereby further found that it is impracticable, unnecessary, 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 in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the handling of olives is now in progress and to be of maximum benefit the provisions of this amendment should be effective upon the date hereinafter specified, (2) the effective date hereof will not require of handlers any preparation that cannot be completed prior thereto, (3) this amendment was unanimously recommended by members of the Olive Administrative Committee in an open meeting at which all interested persons were afforded an opportunity to submit their

views, and (4) this amendment relieves restrictions, through August 31, 1971, on the handling of California olives.

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

Dated, December 21, 1970, to become effective December 21, 1970.

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

[F.R. Doc. 70-17358; Filed, Dec. 23, 1970; 8:49 a.m.]

**Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture**

[Milk Order No. 4]

**PART 1004—MILK IN MIDDLE ATLANTIC MARKETING AREA**

**Order Suspending Certain Provisions**

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Middle Atlantic marketing area.

It is hereby found and determined that for the months of December 1970 and January and February 1971 the following provisions of the order do not tend to effectuate the declared policy of the Act and are hereby suspended:

The provisions of paragraph (c) of § 1004.15 (Producer) which follow the parenthetical text "(other than a producer-handler plant)" as it appears in the first sentence.

As suspended, paragraph (c) of § 1004.15 reads as follows:

**§ 1004.15 Producer.**

(c) A dairy farmer with respect to milk which is diverted to a nonpool plant (other than a producer-handler plant).

*Statement of consideration.* The suspension removes all limitations on milk diversions for the months of December 1970 and January and February 1971. Diversion otherwise is limited (during the months of September through February) to not more than 10 days' production of an individual producer or in the alternative, in the case of a cooperative association which diverts for its account to nonpool plants, not more than 15 percent of the volume of milk of all members of such cooperative association received at all pool plants during the month. Likewise, a proprietary handler may divert milk under the alternative 15 percent limitation, the milk of his non-member producers.

The suspension was requested by the Inter-State Milk Producers' Cooperative, Inc., a major milk producer's organization representing a substantial number of producers on the market.

Suspension of these provisions is necessary because of the unusual marketing conditions which have developed.

The partial closing of a pool plant located at Chambersburg, Pa. (for a 6-month period in order to expand its manufacturing facilities) results in the need for the petitioner to divert from such plant substantial volumes of its member production to a nonpool manufacturing facility.

Seasonal school recesses at this time of year further aggravate the situation since it makes it necessary for the association to divert to nonpool plants additional volumes of milk which normally would have been packaged as Class I by plants and distributed to these schools. Petitioner estimates that diversion of milk of its patrons during the 3-month period, because of this market situation, could be in excess of the 15 percent standard allowed.

This action permits the most efficient handling of reserve milk direct from farm to manufacturing plants and assures continuing producer status during the December-February period for dairy farmers long associated with the fluid market.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area;

(b) This suspension order does not adversely affect handlers and does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Interested parties were afforded opportunity to file written data, views, or arguments concerning this suspension (35 F.R. 18919). None were filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective with respect to producer milk deliveries during December 1970 and January and February 1971.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended to be effective with respect to all milk deliveries during December 1970 and January and February 1971.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 17, 1970.

RICHARD E. LYNG,  
Assistant Secretary.

[F.R. Doc. 70-17325; Filed, Dec. 23, 1970; 8:47 a.m.]

[Milk Orders Nos. 6, 12, and 13; Dockets Nos. AO-356-A6, AO-347-A10, AO-28-A18]

**MILK IN UPPER FLORIDA, TAMPA BAY, AND SOUTHEASTERN FLORIDA MARKETING AREAS**

**Order Amending Order**

*Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the

issuance of each of the aforesaid orders and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

The following findings are hereby made with respect to each of the aforesaid orders:

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the respective marketing areas.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending each of the aforesaid orders effective not later than January 1, 1971. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of this order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued November 6, 1970, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued December 1, 1970. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective January 1, 1971, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551-559.)

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

(1) The refusal or failure of handlers (excluding cooperative associations specified in Section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending each of the specified orders, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the respective orders as hereby amended; and

(3) The issuance of the order amending each of the specified orders is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

#### ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Upper Florida, Tampa Bay, and Southeastern Florida marketing areas shall be in conformity to and in compliance with the terms and conditions of the aforesaid orders, as amended, and as hereby further amended, as follows:

#### PART 1006—MILK IN THE UPPER FLORIDA MARKETING AREA

In § 1006.51 paragraph (a) is changed to read as follows:

##### § 1006.51 Class prices.

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus \$2.85.

#### PART 1012—MILK IN THE TAMPA BAY MARKETING AREA

In § 1012.51 paragraph (a) is changed to read as follows:

##### § 1012.51 Class prices.

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus \$2.95.

#### PART 1013—MILK IN THE SOUTHEASTERN FLORIDA MARKETING AREA

In § 1013.51 paragraph (a) is changed to read as follows:

##### § 1013.51 Class prices.

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus \$3.15.

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

Effective date: January 1, 1971.

Signed at Washington, D.C., on December 21, 1970.

RICHARD E. LYNG,  
Assistant Secretary.

[P.R. Doc. 70-17359; Filed, Dec. 23, 1970;  
8:50 a.m.]

#### Chapter XIV—Commodity Credit Corporation, Department of Agriculture

##### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., Amdt. 2]

#### PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

##### Subpart—General Regulations Governing Price Support for the 1970 and Subsequent Crops

###### MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation published at 35 F.R. 7363, 7781, and 11456 containing the General Regulations Governing Price Support for the 1970 and Subsequent Crops of Grain and Similarly Handled Commodities are hereby amended as follows:

1. Paragraph (g) of § 1421.3 is amended by deleting the provision that a cooperative marketing association is not eligible to obtain price support on commodities produced by persons who are indebted to CCC or other agencies of the United States. The amended paragraph (g) reads as follows:

##### § 1421.3 Eligible producers.

(g) *Approved cooperative.* A cooperative marketing association which is approved by the Executive Vice President, CCC, pursuant to Part 1425 of this chapter, to obtain price support on a crop of dry edible beans, rice, soybeans, or tung oil, may obtain price support on eligible production of such crop of the commodity on behalf of its members. The term "producer" as used in this subpart and on applicable forms shall refer both to an eligible producer as defined in paragraphs (a), (b), and (c) of this section and to an approved cooperative marketing association.

2. Paragraph (b) of § 1421.7 is amended to provide that approved warehouse storage for price support purposes shall consist only of public warehouses for which a CCC storage agreement is in effect. The amended paragraph (b) reads as follows:

##### § 1421.7 Approved storage.

(b) *Warehouse storage.* Approved warehouse storage shall consist of a public warehouse for which a CCC storage agreement for the commodity is in effect and which is approved by CCC for price support purposes. Such warehouse is referred to in the regulations in this subpart as an "approved warehouse". The names of approved warehouses may be obtained from the ASCS commodity office or from State and county offices.

3. Paragraph (d) of § 1421.9 is amended to delete provisions relating to

eastern common carrier warehouses. The amended paragraph (d) reads as follows:

##### § 1421.9 Warehouse receipts.

(d) *Insurance.* Each warehouse receipt or accompanying supplemental certificate representing a commodity stored in an approved warehouse which has a storage agreement with CCC shall indicate that the commodity is insured in accordance with such agreement. The cost of such insurance shall not be for the account of CCC.

4. Paragraphs (h) and (i) of § 1421.23 are amended to delete provisions relating to eastern common carrier warehouses. The amended paragraphs (h) and (i) read as follows:

##### § 1421.23 Settlement.

(h) *Warehouse storage loans called prior to maturity and not redeemed.* A refund of warehouse storage charges will be made by CCC to the producer if (1) the maturity date of a warehouse storage loan is accelerated by CCC for reasons other than any wrongful act or omission on the part of the producer, (2) storage charges have been deducted from the loan amount or prepaid by the producer for a period subsequent to the accelerated maturity date, and (3) the period of the unearned storage can be determined by CCC. The amount of the storage charges to be refunded if such charges have been prepaid by the producer shall be for the period of unearned storage and shall be computed at the lower of (i) the rate prepaid, or (ii) the rate under the applicable CCC storage agreement. The amount to be refunded if storage charges were deducted from the loan rate, shall be the amount of the storage deduction less storage charges which have accrued on the commodity as of the accelerated maturity date of the loan.

(i) *Refund of prepaid handling charges.* If a warehouseman charges the producer for the receiving or the receiving and loading out charges on an eligible commodity in an approved warehouse, the producer shall, upon delivery to CCC of warehouse receipts representing the commodity stored in such warehouse, be reimbursed or given credit by the county office for such prepaid charges in the amount specified in the applicable CCC storage agreement if the producer furnishes to the county office written evidence signed by the warehouseman that such charges have been paid.

(Secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 18, 1970.

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

[P.R. Doc. 70-17360; Filed, Dec. 23, 1970;  
8:50 a.m.]

[Amdt. 1]

**PART 1434—HONEY**

**Subpart—Honey Price Support Regulations for 1970 and Subsequent Crops**

**MISCELLANEOUS AMENDMENTS**

The regulations issued by the Commodity Credit Corporation, published in 35 F.R. 11773 and 13077, and setting forth the requirements with respect to price support for the 1970 and each subsequent crop of extracted honey for which a price support program is authorized, are hereby amended as follows:

1. Section 1434.3(d) is amended to delete that portion providing that a cooperative marketing association is not eligible to obtain price support on honey produced by persons whose names are entered on a claim control record (indicating their indebtedness to CCC or other agencies of the United States) or who owe an installment due on a storage facility or dryer equipment loan, and to read as follows:

**§ 1434.3 Eligible producers.**

(d) *Approved cooperative.* A cooperative marketing association which is approved by the Executive Vice President, CCC, pursuant to Part 1425 of this chapter, to obtain price support on a crop of extracted honey, may obtain price support on the eligible production of such crop of the honey on behalf of its members. The term "producer" as used in this subpart and on applicable price support forms shall refer both to an eligible producer as defined in paragraphs (a), (b), and (c) of this section and to such an approved cooperative marketing association.

2. The term "quality", when used in reference to honey, includes several factors such as class, color, floral source, and grade. It cannot be identified as a single factor and should not appear as a factor either on a warehouse receipt or for consideration in settlement. Therefore, the following paragraphs and subparagraphs of the sections designated are amended to delete the term "quality" therefrom: paragraphs (c) (8) and (d) (4) of § 1434.10; paragraphs (a) (2), (b) (2), and (b) (3) of § 1434.17; and paragraphs (a) and (b) of § 1434.29.

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 18, 1970.

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

[F.R. Doc. 70-17361; Filed, Dec. 23, 1970; 8:50 a.m.]

**SUBCHAPTER C—EXPORT PROGRAMS**

[Amdt. 1]

**PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES**

**Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM-4)**

The following is a clarifying amendment of the regulations governing the CCC Export Credit Sales Program as revised and published in the FEDERAL REGISTER on December 16, 1969 (34 F.R. 19705-19712), to reflect the intention not to preclude the financing of an export credit sale under which the foreign importer is the ultimate purchaser although the agricultural commodity may be sold through an intervening purchaser in a foreign country.

1. Section 1488.2(g) is amended to delete the words "between the exporter and the foreign importer".

2. Section 1488.2(q) is amended to delete the words "from the exporter".

(Sec. 5(f), 62 Stat. 1072; 15 U.S.C. 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 4, 80 Stat. 1538, 7 U.S.C. 1707a)

Effective date: This amendment shall be effective upon filing with the FEDERAL REGISTER.

Signed at Washington, D.C., on December 23, 1970.

Filed on December 23, 1970.

CLIFFORD G. PULVERMACHER,  
Vice President, Commodity  
Credit Corporation and General  
Sales Manager, Export  
Marketing Service.

[F.R. Doc. 70-17437; Filed, Dec. 23, 1970; 9:30 a.m.]

**Title 10—ATOMIC ENERGY**

**Chapter I—Atomic Energy Commission**

**PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES**

**Plans for Coping With Emergencies**

On May 21, 1970, the Atomic Energy Commission published in the FEDERAL REGISTER (35 F.R. 7818) for public comment proposed amendments to 10 CFR Part 50 "Licensing of Production and Utilization Facilities" which would amend § 50.34 "Contents of applications: technical information," and add a new Appendix E, "Emergency Plans for Production and Utilization Facilities." The proposed amendments would require the submission of certain information pertaining to licensee's emergency plans to the Commission in applications for facility operating licenses and of more general information in applications for facility construction permits.

All interested persons were invited to submit comments or suggestions in connection with the proposed amendments within 60 days after publication of the notice of proposed rule making in the FEDERAL REGISTER.

After careful consideration of all of the comments received the Commission has decided to adopt the amendments in the form set out below. The amendments have been revised to reflect some of the comments received. The substantive changes from the amendments published for comment are:

1. Appendix E, section II-B as published for comment would require a description in the preliminary safety analysis report of contracts and arrangements made or to be made with local, State and Federal governmental agencies with responsibility for coping with emergencies. Comments from agencies with this responsibility indicated that identification of the principal agencies should also be made in the preliminary safety analysis report. A statement has been added to section II-B to require identification of these principal agencies. A similar change has been made to section IV-D.

Sections II and IV of Appendix E have been revised to clarify that the licensee, at the time of an accident requiring off-site response, is responsible for notifying those persons or agencies who have legal authority and responsibility for such a response.

Editorial changes have also been made.

The "Guide To the Preparation of Emergency Plans for Production and Utilization Facilities" as referenced in 10 CFR Part 50, Appendix E was developed by the AEC to assist applicants in developing suitable emergency plans and is available for inspection at the Commission's Public Document Room, 1717 H Street NW. Copies may be obtained by addressing a request to the Director, Division of Reactor Licensing or Director, Division of Materials Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to 10 CFR Part 50 are published as a document subject to codification, to be effective 30 days after publication in the FEDERAL REGISTER.

1. A new subparagraph (10) is added to § 50.34(a) and § 50.34(b) (6) (v) is amended to read as follows:

**§ 50.34 Contents of applications: technical information.**

(a) Preliminary safety analysis report. Each application for a construction permit shall include a preliminary safety analysis report. The minimum information to be included shall consist of the following:

(10) A discussion of the applicant's preliminary plans for coping with emergencies. Appendix E sets forth items which shall be included in these plans.

(b) Final safety analysis report. Each application for a license to operate a facility shall include a final safety analysis report. The final safety analysis report shall include information that describes the facility, presents the design basis and the limits on its operation, and presents a safety analysis of the structures, systems, and components and of facility as a whole, and shall include the following:

(6) The following information concerning facility operation:

(v) Plans for coping with emergencies, which shall include the items specified in Appendix E.

2. A new Appendix E is added to read as follows:

#### APPENDIX E—EMERGENCY PLANS FOR PRODUCTION AND UTILIZATION FACILITIES

##### I. Introduction

Each applicant for a construction permit is required by § 50.34(a) to include in its preliminary safety analysis report a discussion of preliminary plans for coping with emergencies. Each applicant for an operating license is required by § 50.34(b) to include in its final safety analysis report plans for coping with emergencies.

This appendix establishes minimum requirements for emergency plans. These plans shall be described in the preliminary safety analysis report and submitted as a part of the final safety analysis report. Procedures used in the detailed implementation of emergency plans need not be described in the preliminary or final safety analysis report.

##### II. The Preliminary Safety Analysis Report

The Preliminary Safety Analysis Report shall contain sufficient information to assure the compatibility of proposed emergency plans with facility design features, site layout, and site location with respect to such considerations as access routes, surrounding population distributions, and land use.

As a minimum, the following items shall be described:

A. The organization for coping with emergencies, and the means for notification, in the event of an emergency, of persons assigned to the emergency organization;

B. Contacts and arrangements made or to be made with local, State, and Federal governmental agencies with responsibility for coping with emergencies, including identification of the principal agencies;

C. Measures to be taken in the event of an accident within and outside the site boundary to protect health and safety and prevent damage to property and the expected response in the event of an emergency, of offsite agencies;

D. Features of the facility to be provided for onsite emergency first aid and decontamination, and for emergency transportation of individuals to offsite treatment facilities;

E. Provisions to be made for emergency treatment of individuals at offsite facilities;

F. The training program for employees and for other persons, not employees of the licensee, whose services may be required in coping with an emergency;

G. Features of the facility to be provided to assure the capability for plant evacuation and the capability for facility

reentry in order to mitigate the consequences of an accident or, if appropriate, to continue operation.

##### III. The Final Safety Analysis Report

The Final Safety Analysis Report shall contain plans for coping with emergencies. The details of these plans and the details of their implementation need not be included, but the plans submitted must include a description of the elements set out in section IV to an extent sufficient to demonstrate that the plans provide reasonable assurance that appropriate measures can and will be taken in the event of an emergency to protect public health and safety and prevent damage to property.

##### IV. Content of Emergency Plans

The emergency plans shall contain, but not necessarily be limited to, the following elements:

A. The organization for coping with radiation emergencies, in which specific authorities, responsibilities, and duties are defined and assigned, and the means of notification, in the event of an emergency, of: (1) Persons assigned to the licensee's emergency organization, and (2) appropriate State, and Federal agencies with responsibilities for coping with emergencies;

B. Written identification, by position or function, of other employees of the licensee with special qualifications for coping with emergency conditions which may arise. Other persons with special qualifications who are not employees of the licensee and who may be called upon for assistance shall also be identified. The special qualifications of these employees and persons shall be described;

C. Means for determining the magnitude of the release of radioactive materials, including criteria for determining the need for notification and participation of local and State agencies and the Atomic Energy Commission and other Federal agencies, and criteria for determining when protective measures should be considered within and outside the site boundary to protect health and safety and prevent damage to property;

D. Procedures for notifying, and agreements reached with, local, State, and Federal officials and agencies for the early warning of the public and for public evacuation or other protective measures should such warning, evacuation, or other protective measures become necessary or desirable, including identification of the principal officials, by title and agencies;

E. Provisions for maintaining up to date: 1. The organization for coping with emergencies, 2. the procedures for use in emergencies, and 3. the lists of persons with special qualifications for coping with emergency conditions;

F. Emergency first aid and personnel decontamination facilities, including:

1. Equipment at the site for personnel monitoring;

2. Facilities and supplies at the site for decontamination of personnel;

3. Facilities and medical supplies at the site for appropriate emergency first aid treatment;

4. Arrangements for the services of a physician and other medical personnel qualified to handle radiation emergencies; and

5. Arrangements for transportation of injured or contaminated individuals to treatment facilities outside the site boundary;

G. Arrangements for treatment of individuals at treatment facilities outside the site boundary;

H. Provisions for training of employees of the licensee who are assigned specific authority and responsibility in the event of an emergency and of other persons whose assistance may be needed in the event of a radiation emergency;

I. Provisions for testing, by periodic drills, of radiation emergency plans to assure that employees of the licensee are familiar with their specific duties, and provisions for participation in the drills by other persons whose assistance may be needed in the event of a radiation emergency;

J. Criteria to be used to determine when, following an accident, reentry of the facility is appropriate or when operation should be continued.

The Commission has developed a document entitled "Guide To the Preparation of Emergency Plans for Production and Utilization Facilities" to help applicants establish adequate plans required pursuant to § 50.34 and this Appendix, for coping with emergencies.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Germantown, Md., this 11th day of December 1970.

For the Atomic Energy Commission,

W. B. McCool,  
Secretary of the Commission.

[P.R. Doc. 70-17305; Filed, Dec. 23, 1970; 8:45 a.m.]

## Title 12—BANKS AND BANKING

### Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

#### PART 1—INVESTMENT SECURITIES REGULATION

##### Securities Eligible for Underwriting and Unlimited Holding

The following new sections are added to Part 1 of Title 12:

- Sec.
- 1.282 State Board of Higher Education, North Dakota.
- 1.283 Visalia Public Building Authority (California).
- 1.284 New York State Urban Development Corporation.
- 1.285 City of Santa Fe Springs Public Improvements Corporation Leasehold Mortgage Bonds (California).
- 1.286 Vermont Municipal Bond Bank.
- 1.287 Memphis and Shelby County Industrial Development Board, Tennessee (Internal Revenue Service Regional Center).

AUTHORITY: Sections 1.282-1.287 issued under R.S. 324, et seq., as amended, paragraph Seventh of R.S. 5136, as amended; 12 U.S.C. 1, et seq., 24(7), unless otherwise noted.

§ 1.282 State Board of Higher Education, North Dakota.

(a) Request. The Comptroller of the Currency has been requested to rule on the application of the 10 percent investment limitation of paragraph Seventh of 12 U.S.C. 24 to bonds issued by the State

<sup>1</sup> The Guide is available for inspection at the Commission's Public Document Room, 1717 H Street NW, and copies may be obtained by addressing a Request to the Director, Division of Reactor Licensing or Director, Division of Materials Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Board of Higher Education of the State of North Dakota to finance the construction of revenue-producing buildings located at institutions of higher education under the supervision and control of the Board.

(b) *Opinion.* (1) The Constitution of North Dakota created the State Board of Higher Education for the control and administration of a number of State institutions of higher education. North Dakota statutes authorize the Board to set aside suitable portions of the respective campuses of such institutions for the construction of such revenue-producing buildings and improvements as, from time to time, may be authorized by the legislative assembly of the State. The Board is also authorized to finance such projects by borrowing money and issuing bonds on the credit of the income and revenues to be derived from the operation of the project, all within the limits of the authority granted by the legislative assembly in each instance.

(2) The Board issues these bonds as an executive agency of the State. The educational institutions at which the projects financed by the bonds are located are simply the users of State property which has been allocated to their use. There is no basis on which to regard the educational institutions as either direct or indirect obligors.

(c) *Ruling.* It is our conclusion that the 10-percent investment limitation of paragraph Seventh of 12 U.S.C. 24 is applicable to all bonds issued by the State Board of Higher Education of North Dakota without regard to the location of the project for which they are issued. The same limitation is also applicable to dealing in and underwriting by national banks of bonds issued by the Board for housing, university or dormitory purposes. (Comptroller's letter dated November 25, 1970.)

§ 1.283 Visalia Public Building Authority (California).

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$3,725,000 Visalia Public Building Authority 1970 Revenue Bonds for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Visalia Public Building Authority is a public entity created pursuant to the laws of California by an agreement between the City of Visalia and Visalia Unified School District. Under this agreement, the Authority is authorized to acquire, construct, renovate, remodel, maintain and operate public buildings and related facilities and to issue bonds to finance such projects. The agreement also authorizes the Authority to lease the completed projects to the City for rental payments at least sufficient to pay the principal of and interest on the revenue bonds issued and sold to finance the construction of the projects. The Authority is issuing these bonds to finance the construction of a community center and an exhibit hall and to renovate and remodel an

existing auditorium building as a school administration building.

(2) The City, as required by its agreement with the District, has unconditionally promised in the lease rental agreement to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds, as well as other necessary expenses. The City, which possesses general powers of taxation, has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the \$3,725,000 Visalia Public Building Authority 1970 Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Deputy Comptroller's letter dated December 8, 1970.)

§ 1.284 New York State Urban Development Corporation.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the General Purpose Bonds, Series A, of the New York State Urban Development Corporation for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The New York State Urban Development Corporation is a corporate governmental agency of the State, a political subdivision and a public benefit corporation created in April 1968 by the New York State Urban Development Corporation Act. The Corporation is authorized to plan and carry out urban development projects which will provide housing, land use improvement, industrial and commercial development, educational, cultural, community and other civic facilities and new communities. The Corporation is also authorized to issue its bonds and notes to provide sufficient funds for achieving any of its corporate purposes.

(2) These bonds will be secured by a debt service reserve fund which will be established in an amount not less than the maximum amount of principal and interest maturing and becoming due in the current or any succeeding calendar year on the bonds. In order to assure the maintenance of debt service reserve funds, the Act provides for the annual apportionment and payment from State funds for deposit to each debt service reserve fund of such sum as is certified to be necessary to restore the fund to an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds of the corporation then outstanding which are secured by such reserve fund. The State, which possesses general powers of taxation, has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the General Purpose Bonds, Series A, of the New York State Urban Development Corporation are general obligations of a State or a political subdivi-

sion thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Acting Comptroller's letter dated December 8, 1970.)

§ 1.285 City of Santa Fe Springs Public Improvements Corporation Leasehold Mortgage Bonds (California).

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$2 million City of Santa Fe Springs Public Improvements Corporation Leasehold Mortgage Bonds for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The City of Santa Fe Springs Public Improvements Corporation, a California non-profit corporation acting for the City of Santa Fe Springs, was created to issue its leasehold mortgage bonds to finance the construction on land leased to it by the City of public buildings to be leased to and operated by the City. The Corporation is issuing these bonds to finance the construction of a community center building, a fire station, maintenance buildings and a storage area.

(2) The City has unconditionally promised in the lease rental agreement to pay annual lease rentals to the Corporation in an amount sufficient to meet annual interest and principal payments on these bonds, as well as other necessary expenses. The City, which possesses general powers of taxation, has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the \$2,000,000 City of Santa Fe Springs Public Improvements Corporation Leasehold Mortgage Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Acting Comptroller's letter dated December 9, 1970.)

§ 1.286 Vermont Municipal Bond Bank.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$45,745,000 Vermont Municipal Bond Bank 1970, Series A, bonds for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Vermont Municipal Bond Bank is a body corporate and politic established in 1969 by an act of the General Assembly of the State of Vermont as in instrumentality exercising public and essential governmental functions. The principal function of the Bank is to lend money to governmental units of the State through the purchase of their municipal bonds payable from ad valorem taxation and to issue its own bonds to provide funds for such purposes.

(2) These bonds will be secured by a portfolio of general obligations of political subdivisions of the State of Vermont

which possess general powers of property taxation. They will also be secured by a debt service reserve fund which will be established in an amount not less than the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds. In order to assure the maintenance of the required debt service reserve in the reserve fund, the Act provides for the annual appropriation and payment from State funds for deposit in the reserve fund of such sum as is certified to be necessary to restore the fund to an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the bonds of the Bank. The State, which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the \$45,745,000 Vermont Municipal Bond Bank 1970, Series A, bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated December 16, 1970.)

§ 1.287 Memphis and Shelby County Industrial Development Board, Tennessee (Internal Revenue Service Regional Center).

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$14 million Office Facilities Lease Rental Revenue Bonds (Internal Revenue Service Regional Center) of The Industrial Development Board of the City of Memphis and the County of Shelby for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Industrial Development Board of the City of Memphis and the County of Shelby was organized by the City and the County under the provisions of the Industrial Development Corporation law of the State of Tennessee and is a public corporation and a public instrumentality of the City and the County. The Board is authorized to acquire, maintain, equip and furnish projects, including real and personal property, lease them to others and issue its bonds to carry out any of its powers.

(2) The Board is issuing these bonds to finance the acquisition, upon completion, of an Internal Revenue Service Regional Center to be constructed on a site owned by the Memphis-Shelby County Airport Authority and located at the Memphis International Airport. The completed Center is to be leased to the United States acting by and through the General Services Administration for use by the Internal Revenue Service for a term of 20 years with an option for the United States to renew for two 5-year terms.

(3) When the Board acquires the Center, the Authority will lease the site to the Board, will agree to perform the maintenance requirements of the GSA lease, and will receive in each year for such performance, and as ground rent for the site, all revenues of the project including rentals payable under the GSA lease which remain, after payment, (or provision therefor) of (i) the debt service payments on the Bonds; (ii) administrative costs (including insurance); (iii) required payments into a Maintenance, Repair and Replacement Fund; and (iv) any amounts required to be expended for maintenance, repair and replacement for which monies are not available in the Fund. It is estimated that the application of this formula will leave available for the payment of ground rent to the Authority in each year amounts in excess of \$400,000. The lease rental obligation of the United States thus provides for annual rental payments to the Board of amounts sufficient to meet annual interest and principal payments on the bonds as well as other necessary expenses.

(c) *Ruling.* It is our conclusion that the \$14 million Office Facilities Lease Rental Revenue Bonds (Internal Revenue Service Regional Center) of The Industrial Development Board of the City of Memphis and the County of Shelby are eligible for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24 (Comptroller's letter dated December 18, 1970.)

Dated: December 21, 1970.

[SEAL] WILLIAM B. CAMP,  
Comptroller of the Currency.

[P.R. Doc. 70-17021; Filed, Dec. 23, 1970;  
8:50 a.m.]

Chapter II—Federal Reserve System  
SUBCHAPTER A—BOARD OF GOVERNORS OF  
THE FEDERAL RESERVE SYSTEM  
PART 224—DISCOUNT RATES

Changes in Rates

Pursuant to section 14(d) of the Federal Reserve Act (12 U.S.C. 357), and for the purpose of adjusting discount rates with a view to accommodating commerce and business in accordance with other related rates and the general credit situation of the country, Part 224 is amended as set forth below:

1. Section 224.2 is amended to read as follows:

§ 224.2 Advances and discounts for member banks under sections 13 and 13a.

The rates for all advances and discounts under sections 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships, or

corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	5½	Dec. 1, 1970
New York.....	5½	Dec. 4, 1970
Philadelphia.....	5½	Do.
Cleveland.....	5½	Dec. 1, 1970
Richmond.....	5½	Dec. 11, 1970
Atlanta.....	5½	Dec. 1, 1970
Chicago.....	5½	Dec. 11, 1970
St. Louis.....	5½	Do.
Minneapolis.....	5½	Dec. 1, 1970
Kansas City.....	5½	Dec. 10, 1970
Dallas.....	5½	Dec. 1, 1970
San Francisco.....	5½	Dec. 4, 1970

2. Section 224.3 is amended to read as follows:

§ 224.3 Advances to member banks under section 10(b).

The rates for advances to member banks under section 10(b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	6	Dec. 1, 1970
New York.....	6	Dec. 4, 1970
Philadelphia.....	6	Do.
Cleveland.....	6	Dec. 1, 1970
Richmond.....	6	Dec. 11, 1970
Atlanta.....	6	Dec. 1, 1970
Chicago.....	6	Dec. 11, 1970
St. Louis.....	6	Do.
Minneapolis.....	6	Dec. 1, 1970
Kansas City.....	6	Dec. 10, 1970
Dallas.....	6	Dec. 1, 1970
San Francisco.....	6	Dec. 4, 1970

3. Section 224.4 is amended to read as follows:

§ 224.4 Advances to persons other than member banks.

The rates for advances under the last paragraph of section 13 of the Federal Reserve Act to individuals, partnerships, or corporations other than member banks secured by direct obligations of, or obligations fully guaranteed as to principal and interest by, the United States or any agency thereof are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	7	Dec. 1, 1970
New York.....	7½	Apr. 4, 1969
Philadelphia.....	7	Dec. 4, 1970
Cleveland.....	7	Dec. 1, 1970
Richmond.....	7½	Nov. 11, 1970
Atlanta.....	7½	Feb. 10, 1970
Chicago.....	7½	Mar. 4, 1970
St. Louis.....	7	Dec. 11, 1970
Minneapolis.....	7	Dec. 1, 1970
Kansas City.....	7	Dec. 10, 1970
Dallas.....	7	Dec. 1, 1970
San Francisco.....	7	Dec. 4, 1970

For the reasons and good cause found as stated in § 224.7, there is no notice, public participation, or deferred effective date in connection with this action.

(12 U.S.C. 248(1). Interprets or applies 12 U.S.C. 357)

By order of the Board of Governors,  
December 18, 1970.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[P.R. Doc. 70-17310; Filed, Dec. 23, 1970;  
8:46 a.m.]

# Title 14—AERONAUTICS AND SPACE

## Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 70-SO-104; Amdt. 39-1134]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Piper PA-28; 28R; 28S and PA-32; 32S Series Airplanes

There have been failures of the stabilator balance weight support tube on Piper Cherokee airplanes that resulted in the loss of primary longitudinal control. Since this condition is likely to develop in other airplanes of the same or similar design, an airworthiness directive is being issued to require inspection of the stabilator balance weight support tube for cracks and replacement, if necessary, on Piper PA-28, PA-28R, PA-28S, PA-32, and PA-32S airplanes.

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

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

Piper. Applies to PA-28-140 Serial Nos. 28-20000 and up; PA-28-150, /-160, /-180, PA-28S-160, /-180, Serial Nos. 28-03, 28-1 and up; PA-28-235, Serial Nos. 28-10001 and up; PA-28R-180, Serial Nos. 28R-30002 and up; PA-28R-200, Serial Nos. 28R-35001 and up; PA-32-260, Serial Nos. 32-03, 32-04, 32-1 and up; PA-32, /-32S-300, Serial Nos. 32-15, 32-21, 32-40000 and up.

Compliance required as indicated, unless already accomplished:

I. Aircraft with less than 500 hours total time in service: Inspect in accordance with instructions below at 500 hours total time or within the next 50 hours time in service after the effective date of this AD and repeat after each subsequent 200 hours in service.

II. Aircraft with 500 hours through 1,000 hours total time in service: Inspect in accordance with instructions below within the next 50 hours time in service after the effective date of this AD and repeat after each subsequent 200 hours in service.

III. Aircraft with more than 1,000 hours time in service: Inspect in accordance with instructions below within the next 25 hours time in service after the effective date of this AD and repeat after each subsequent 200 hours in service.

To detect cracks in the stabilator balance weight tube in the area of the attachment bolt holes accomplish the following:

1. Remove tail cone assembly and bulkhead close out plate if so equipped.
2. In the tail cone section, remove safeties from stabilator cable turnbuckles and release cable tension.
3. Disconnect stabilator cables at the balance weight tube assembly.

NOTE: Care should be taken as not to misplace the bushing fitted in the tube/cable attachment lugs.

4. Remove the stabilator balance weight tube assembly attachment bolts.

5. Pull stabilator balance weight tube assembly forward and remove from stabilator. (It is not necessary to remove balance weight from tube.)

6. Remove paint from balance weight tube in areas of the stabilator attachment bolt holes.

NOTE: Use any commercial paint remover or caustic soda to remove paint; wash part in gasoline to remove any wax.

7. Inspect tube for cracks in this area using dye penetrant. If a crack or cracks are detected replace the balance weight tube assembly with new part. If cracks are not detected, the part may be reinstalled on the airplane after the tube has been cleaned, primed with zinc chromate primer, and painted.

NOTE: When a new balance weight tube assembly is installed, repetitive inspections at 200-hour intervals will still be required.

8. Inspect stabilator mounting points for possible stabilator side movement. Should side movement be evident, install combination of AN960-416L (Piper Code No. 407 585) and AN960-416 (Piper Code No. 407 565) washers, as many as necessary to center the stabilator assembly and eliminate any side movement.

9. Visually inspect stabilator fittings (Part No. 63567-03) for evidence of cracks and/or loose rivets.

a. Should the fitting(s) be cracked, replace with new stabilator fitting(s), Part No. 63567-03.

b. Remove loose rivets and replace with new rivets.

Piper Service Bulletin No. 327 dated December 9, 1970 pertains to this same subject.

This amendment becomes effective December 28, 1970.

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

Issued in East Point, Ga., on December 18, 1970.

JAMES S. ROGERS,  
Director, Southern Region.

[F.R. Doc. 70-17351; Filed, Dec. 23, 1970; 8:49 a.m.]

[Docket No. 10743; Amdt. No. 735]

### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

#### Recent Changes and Additions

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

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

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

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

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

1. Section 97.11 is amended by establishing, revising, or canceling the following L/MF-ADF(NDB)-VOR SIAPs, effective January 21, 1971.

Hot Springs, Va.—Ingalls Field; NDB (ADF) Runway 24, Amdt. 2; Canceled.

2. Section 97.15 is amended by establishing, revising, or canceling the following VOR/DME SIAPs, effective January 21, 1971.

Washington, Pa.—Washington County Airport; VOR/DME No. 1, Amdt. 1; Canceled.

3. Section 97.23 is amended by establishing, revising, or canceling the following VOR-VOR/DME SIAPs, effective January 21, 1971.

Merced, Calif.—Merced Municipal Airport; VOR Runway 12, Amdt. 1; Revised.

Merced, Calif.—Merced Municipal Airport; VOR Runway 30, Amdt. 7; Revised.

Moses Lake, Wash.—Grant County Airport; VOR Runway 32R, Amdt. 7; Revised.

Price, Utah—Carbon County Airport; VOR Runway 36, Amdt. 2; Revised.

San Juan, P.R.—Puerto Rico International Airport; VOR Runway 7, Amdt. 10; Revised.

San Juan, P.R.—Puerto Rico International Airport; VOR Runway 25, Amdt. 10; Revised.

Tanana, Alaska—Ralph M. Calhoun Memorial Airport; VOR-A, Amdt. 4; Revised.

Washington, Pa.—Washington County Airport; VOR-A, Original; Established.

Washington, Pa.—Washington County Airport; VOR-B, Original; Established.

4. Section 97.27 is amended by establishing, revising, or canceling the following NDB/ADF SIAPs, effective January 21, 1971.

Celina, Ohio—Lakefield Airport; NDB Runway 8, Original; Established.

Medina (Akron), Ohio—Freedom Field; NDB Runway 27, Amdt. 1; Revised.

San Juan, P.R.—Puerto Rico International Airport; NDB Runway 7, Amdt. 12; Revised.

Watertown, N.Y.—Municipal Airport; NDB (ADF) Runway 6, Original; Canceled.

5. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAPs, effective January 21, 1971.

San Juan, P.R.—Puerto Rico International Airport; ILS Runway 7, Amdt. 4; Revised.

6. Section 97.33 is amended by establishing, revising, or canceling the following RNAV SIAPs, effective January 21, 1971.

Columbus, Ohio—Ohio State University Airport; RNAV Runway 27, Original; Established.

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

Issued in Washington, D.C., on December 17, 1970.

EDWARD C. HODSON,  
Acting Director,  
Flight Standards Service.

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

[F.R. Doc. 70-17288; Filed, Dec. 23, 1970; 8:45 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

SUBCHAPTER E—RULES, REGULATIONS, STATEMENTS OF GENERAL POLICY OR INTERPRETATION AND EXEMPTIONS UNDER THE FAIR PACKAGING AND LABELING ACT

#### PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

##### Chamois

The Federal Trade Commission on September 26, 1970 (35 F.R. 14997) proposed a new § 501.4 to the regulations issued under the Fair Packaging and Labeling Act which would exempt chamois from certain of the mandatory requirements of Part 500 of the regulations. The proposal would permit the net quantity statement for whole skins to be expressed in square feet and the net quantity statement for a cut skin to be expressed in square inches followed by a parenthetical expression in square feet.

In response to an invitation for interested parties to comment, 10 City and State Weights and Measures Sections and the Sponge and Chamois Institute favored the proposal as written. One member of industry commented adversely suggesting that more accurate measurement of whole skins would be an unwarranted increase in the cost of packaging.

Having considered all the comments, the Commission has concluded that the

proposed exemption should be adopted.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 5, 6, 80 Stat. 1298, 1299, 1300; 15 U.S.C. 1454, 1455); Part 501 of Subchapter E is amended by adding thereto the following new section.

##### § 501.4 Chamois.

Chamois packaged or labeled for retail sale is exempt from the requirements of § 500.13 of this chapter which specifies how measurement of commodities by area measure should be expressed: *Provided:*

(a) The quantity of contents for full skins is expressed in terms of square feet with any remainder in terms of the common or decimal fraction of the square foot.

(b) The quantity of contents for cut skins of any configuration is expressed in terms of square inches and fractions thereof. Where the area of a cut skin is at least one square foot or more, the statement of square inches shall be followed in parentheses by a declaration in square feet with any remainder in terms of square inches or common or decimal fractions of the square foot.

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 Secretary, Federal Trade Commission, Washington, D.C. 20580, written objections thereto, specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections. Objections will be deemed sufficient to warrant the holding of a public hearing only: (1) if they establish that the objector will be adversely affected by the order; (2) if they specify with particularity the provisions of the order to which objection is taken; and (3) if they are supported by reasonable grounds which if valid and factually supported may be adequate to justify the relief sought. Anyone who files objections which are not deemed by the Commission sufficient to warrant the holding of a public hearing will be promptly notified of that determination.

As soon as practicable after the time for filing objections has expired, the Commission will publish a notice in the FEDERAL REGISTER specifying those parts of the order which have been stayed by the filing of objections or, if no objections sufficient to warrant the holding of a public hearing have been filed, stating the fact. This order shall become effective 30 days following the date of its publication in the FEDERAL REGISTER, except as to any provision that may be stayed by the filing of valid objections.

Issued: December 16, 1970.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-17311; Filed, Dec. 23, 1970; 8:46 a.m.]

## Title 18—CONSERVATION OF POWER AND WATER RESOURCES

### Chapter V—Environmental Protection Agency

#### CHANGE IN CHAPTER TITLE

To implement the provisions of Reorganization Plan No. 3 of 1970 (35 F.R. 15623), which established the Environmental Protection Agency, Chapter V of Title 18 of the Code of Federal Regulations is retitled as set forth above. All the parts formerly appearing in Chapter V of Title 18 are hereby transferred to the retitled Chapter V as designated below:

Former Part No. Chapter V	New Part No. Chapter V
601 Grants for water pollution control	601
602 Certification of facilities	602
604 Standards-setting conferences, hearings, and notification of alleged violators of water quality standards	604
606 Public hearings under the Federal Water Pollution Control Act	606
607 Filing of reports with Secretary of the Interior by persons whose alleged activities result in discharges causing or contributing to water pollution	607
610 Discharge of oil	610
620 Water quality standards	620

Appropriate changes in the text and organizational references will be made at a later date with the establishment of a new title in the Code of Federal Regulations which will contain all of the regulations of the Environmental Protection Agency. Until that time, the term "Department of Interior" will be deemed to mean "Environmental Protection Agency" and the term "Secretary" will be deemed to mean "Administrator" wherever these terms occur in Chapter V of this title.

*Effective date.* This amendment is effective as of publication in the FEDERAL REGISTER.

(Reorganization Plan No. 3 of 1970, 35 F.R. 15623)

WILLIAM D. RUCKELSHAUS,  
Administrator.

DECEMBER 15, 1970.

[F.R. Doc. 70-17046; Filed, Dec. 23, 1970; 8:50 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER C—DRUGS

#### PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

##### Ketamine Hydrochloride Injection

The Commissioner of Food and Drugs has evaluated a new animal drug application (43-304V) filed by Bristol Laboratories and a new animal drug application

(45-290V) filed by Parke, Davis and Co. proposing the safe and effective use of ketamine hydrochloride injection as an anesthetic for cats. The applications are approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347, 21 U.S.C. 360b(i)), and under authority delegated to the Commissioner (21 CFR 2.120), Part 135b is amended by adding thereto the following new section:

§ 135b.28 Ketamine hydrochloride injection veterinary.

(a) *Chemical name.* 2-(o-Chlorophenyl)-2-(methylamino) cyclohexanone hydrochloride.

(b) *Specifications.* The drug is a sterile aqueous solution and each milliliter contains: Ketamine hydrochloride equivalent to 100 milligrams ketamine base activity and 1:10,000 benzethonium chloride.

(c) *Sponsors.* (1) Bristol Laboratories, Post Office Box 657, Syracuse, N.Y. 13201.

(2) Parke, Davis and Co., Joseph Campau At The River, Detroit, Mich. 48232.

(d) *Special considerations.* Store in a cool place. Protect from light. Do not use if precipitate appears.

(e) *Conditions of use.* (1) It is used in cats as an anesthetic agent.

(2) It is administered intramuscularly as the sole anesthetic agent at a dose of 5 milligrams to 20 milligrams per pound of body weight depending on the degree of analgesia or anesthesia desired.

(3) For use only by or on the order of a licensed veterinarian.

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

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: December 16, 1970.

C. D. VAN HOUWELING,  
Director,

Bureau of Veterinary Medicine.

[F.R. Doc. 70-17298; Filed, Dec. 23, 1970; 8:45 a.m.]

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

Sodium Nafcillin

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), § 141a.115(e) is revised to read as follows to change the moisture test to one that will provide an additional procedure to differentiate between the anhydrous and hydrated forms of the subject antibiotic drug:

§ 141a.115 Sodium nafcillin.

(e) *Moisture.* Proceed as directed in § 141.502 of this chapter.

Notice and public procedure and delayed effective date are unnecessary prerequisites to this order, which provides for use of a more comprehensive moisture test for the subject antibiotic drug.

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

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: December 12, 1970.

H. E. SIMMONS,  
Director, Bureau of Drugs.

[F.R. Doc. 70-17299; Filed, Dec. 23, 1970; 8:45 a.m.]

PART 148e—ERYTHROMYCIN

Correction

In F.R. Doc. 70-16346 appearing at page 18513 in the issue of Saturday, December 5, 1970, the figure reading "0.1" in the third line from the bottom of § 148e.25(b) (1) should read "1.0".

PART 148q—GENTAMICIN

Gentamicin Sulfate Ophthalmic Ointment

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Part 148q is amended by adding the following new section to provide for certification of the subject antibiotic drug:

§ 148q.6 Gentamicin sulfate ophthalmic ointment.

(a) *Requirements for certification—*  
(1) *Standards of identity, strength, quality, and purity.* Gentamicin sulfate ointment contains in each gram the equivalent of 3.0 milligrams of gentamicin with suitable preservative in a white petrolatum base. Its potency is satisfactory if it is not less than 90 percent and not more than 135 percent of the number of milligrams of gentamicin that it is represented to contain. Its moisture content is not more than 1.0 percent. It passes the test for particulate contamination. The gentamicin sulfate used conforms to the standards prescribed therefor by § 148q.1(a) (1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:  
(a) The gentamicin sulfate used in making the batch for potency, safety, loss on drying, pH, specific rotation, content of gentamicins C<sub>1</sub>, C<sub>2</sub>, and C<sub>3</sub>, and identity.

(b) The batch for gentamicin potency, moisture, and particulate contamination.

(ii) *Samples required:*

(a) The gentamicin sulfate used in making the batch: 10 packages, each containing not less than 500 milligrams.

(b) The batch: A minimum of 15 immediate containers.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.110 of this chapter, except prepare the sample as follows: Place an accurately weighed representative portion of the ointment into a separatory funnel containing 50 milliliters of peroxide-free ether. Shake the sample and ether until homogeneous. Add 20 to 25 milliliters of 0.1M potassium phosphate buffer, pH 8.0 (solution 3), and shake well. Allow the layers to separate. Remove the buffer layer and repeat the extraction with new portions of solution 3. Repeat any additional times necessary to insure complete extraction of the antibiotic. Combine the extractives and adjust to an appropriate volume to give a stock solution of convenient concentration. Further dilute with solution 3 to the reference concentration of 0.1 microgram of gentamicin per milliliter (estimated).

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(3) *Particulate contamination.* Proceed as directed in § 141.508 of this chapter.

Data supplied by the manufacturer concerning the subject antibiotic drug have been evaluated. Since the conditions prerequisite to providing for its certification have been complied with and since not delaying in so providing is in the public interest, 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.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: December 15, 1970.

H. E. SIMMONS,  
Director, Bureau of Drugs.

[F.R. Doc. 70-17300; Filed, Dec. 23, 1970; 8:45 a.m.]

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State

[A.I.D. Reg. 1]

PART 201—RULES AND PROCEDURES APPLICABLE TO COMMODITY TRANSACTIONS FINANCED BY A.I.D.

Modification of Certain Rules Concerning Source of Procurement

Part 201 of Chapter II, Title 22 (A.I.D. Reg. 1) is amended as follows:

a. In § 201.01, paragraph (j) is revised to read as follows:

§ 201.01 Definitions.

(j) *Cooperating country.* "Cooperating country" means the country receiving the A.I.D. assistance subject to provisions of this Part 201.

#### § 201.11 [Amended]

b. Section 201.11 is amended as follows:  
1. In paragraph (b)(2)(ii)(b), the number before the word "percent" is changed from "10" to "50".

2. The following new item (c) is added immediately following paragraph (b)(2)(ii)(b):

(c) For the purpose of calculating eligible components under this subdivision, "authorized source countries" shall include the cooperating country itself whenever A.I.D. has authorized procurement from Geographic Code 941, and shall include all Geographic Code 941 countries whenever A.I.D. has authorized procurement from Geographic Code 910.

3. Paragraph (b)(4)(i) and (ii) are amended as follows:

(i) Delete the word "participating" in the phrase "the participating country" as that phrase appears in the description of "Code 940", "Code 901", and "Code 899", and substitute therefor, the word "cooperating".

(ii) After Code 899, add the following two new paragraphs:

Code 941—"Selected Free World." Any independent country in the Free World, except Algeria, Andorra, Australia, Austria, Belgium, West Berlin, Canada, Cyprus, Denmark, Finland, France, West Germany, Greece, Hong Kong, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Portugal, Southern Rhodesia, San Marino, Somali Republic, South Africa, Spain, Sudan, Syria, Sweden, Switzerland, United Arab Republic, United Kingdom, Vatican City, Yemen, Yugoslavia, and the cooperating country itself.

Code 910—"Selected Less Developed Countries." India, Morocco, Pakistan, the Philippines, Taiwan, South Korea, Singapore, and Tunisia. Code 000 shall also be included within this Code.

4. Paragraph (j)(3) is revised to read as follows:

(3) The Supplier is not an individual, resident in a country included in the authorized source code; a nonresident citizen of a country included in the authorized source code; a corporation or partnership organized under the laws of a country included in the authorized source code; or a subsidiary of a U.S. corporation qualifying as a controlled foreign corporation (within the meaning of section 957 et seq. of the Internal Revenue Code) as attested by current information on file with the Internal Revenue Service of the United States (on IRS Form 959, 2952, 3646, or on substitute or successor forms) submitted by shareholders of the corporation.

#### § 201.13 [Amended]

c. Section 201.13 is amended as follows:  
1. Paragraph (b)(1)(ii) is revised to read as follows:

(ii) On any aircraft or ocean vessel which flies the flag of a country not in-

cluded within the source code authorized by A.I.D.; or

2. Paragraph (b)(1)(iv) is revised to read as follows:

(iv) On any liner vessel for which the rate applicable to the commodity shipped and applying to both A.I.D.-financed and non-A.I.D.-financed cargo has not been filed (a) with the Federal Maritime Commission for any voyage originating in the United States (whether or not such filing is required by the Federal Maritime Commission), or (b) with AID/W (Resources Transportation Division) for voyages originating outside the United States; or

3. Paragraph (b)(3)(i)(a) is revised to read as follows:

(a) The insurance is placed within a country included in the authorized source code: *Provided*, That if the authorized source is Code 941, the cooperating country itself shall be recognized as an eligible source; and

4. Paragraphs (b)(3)(i)(d) and (e) are amended by deleting the periods at the end of each subdivision and substituting therefor a semicolon and the word "and".

5. The following new paragraph (b)(3)(i)(f) is inserted:

(f) The insurance provides that loss payment proceeds shall be paid in U.S. dollars.

6. In paragraph (b)(3)(ii), delete the last sentence.

d. In § 201.67, paragraph (a)(4)(ii) is revised to read as follows:

#### § 201.67 Maximum freight charges.

(a) \* \* \*

(4) \* \* \*

(ii) The rate named in any tariff or other rate listing for the same destination and commodity on file at (a) the Federal Maritime Commission for voyages originating in the United States, or on file at (b) the Resources Transportation Division, AID/W, for voyages originating outside the United States; or

e. In § 201.71, paragraph (c) is revised to read as follows:

#### § 201.71 Terms of letters of credit.

(c) \* \* \*

(c) *Payment address.* Unless instructed by A.I.D. to the contrary, the bank shall not open, confirm, or advise any letter of credit and shall not issue or make payment under any payment instruction to a beneficiary or payee with a payment address (as provided by the importer or by the Approved Applicant to the opening or paying bank or by the opening bank to the confirming or advising bank) outside a country included in the authorized geographic source code.

f. Appendix E is amended as follows:

1. Numbered paragraph 4 under the heading "Transaction Identification" is amended as follows:

(i) Delete the words "United States" in the phrase "Supplier's Relationship to United States" and substitute therefor the words "Authorize Source Country".

(ii) Delete "U.S." in the phrase "Organized under U.S. Laws" following the first box and substitute therefor the words "Source Country".

(iii) Delete the two references to "U.S." before the words "Citizen" and "Resident" following the second box and add after the word "Resident" the words "of Source Country".

2. In numbered paragraph 4 under the heading "Supplier's Certifications" the first sentence is revised to read as follows:

4. The supplier certifies that he is an individual resident in a country included in the authorized source code; a nonresident citizen of a country included in the authorized source code; a corporation or partnership organized under the laws of a country included in the authorized source code; or a controlled foreign corporation (within the meaning of section 957 et seq. of the Internal Revenue Code) as attested by current information on file with the Internal Revenue Service of the United States (on IRS Form 959, 2952, 3646, or any substitute or successor forms) submitted by shareholders of the corporation.

3. "Instructions Relating to Specific Items" are amended as follows:

(i) In the paragraph beginning "Block 4" delete the words "the United States" at the end of the first sentence and substitute therefor the words "a country in the authorized source code".

(ii) In the paragraph beginning "Block 14", subparagraph (c) is revised to read as follows:

(c) In block 14.c enter the total cost, within each unit of the finished product, attributable to components imported from each country indicated in block 14.b. If the supplier is unable to furnish information required by blocks 14.b and 14.c at the time of submission of the application and no component percentage other than the 50 percent set forth in § 201.11(b)(2)(ii)(b) of A.I.D. Regulation 1 has been authorized for the commodity, A.I.D. will accept a statement in these blocks or in block 16 that (1) the commodity contains no components from other than "free world" countries, and (2) the total cost of components imported into the country of production from other than countries included in the authorized geographic source code (or the cooperating country itself when ever Code 941 is authorized) per unit of finished commodity is no more than 50 percent of the lowest selling price per unit at which the supplier makes the commodity available for export. If A.I.D. has authorized a percentage for non-source free world components other than 50 percent, the supplier should state such other higher or lower modification of the percentage rule, with a citation to the pertinent modification; and the actual percentage of non-source free world components in the product, or an affirmation that the percentage of such components is not in excess of the percentage allowed by A.I.D. The supplier should thereafter be prepared to demonstrate the accuracy of these statements upon request of A.I.D.

g. These amendments are effective as of October 16, 1970.

Dated: December 16, 1970.

MAURICE J. WILLIAMS,  
Acting Administrator.

[F.R. Doc. 70-17303; Filed, Dec. 23, 1970;  
8:45 a.m.]

[A.I.D. Reg. 1]

**PART 201—RULES AND PROCEDURES APPLICABLE TO COMMODITY TRANSACTIONS FINANCED BY A.I.D.**

**Modification of A.I.D. Rules Concerning Financing of Commissions and Service Payments**

Title 22, Chapter II, Part 201 (AID Reg. 1), is amended as follows:

a. Paragraph (a) (9) of § 201.52 is revised to read as follows:

**§ 201.52 Required documents.**

(a) \* \* \*  
(9) *Certificate concerning commissions.* With respect to any shipment to an importer in a country designated in § 201.65(a), one signed original executed by the commodity supplier of the Certificate Concerning Commissions.

**§ 201.65 [Amended]**

b. Paragraph (a) of § 201.65 is revised to read as follows:

(a) *General.* This section sets forth the rules which govern the eligibility of commissions and service payments for A.I.D. financing and disallows discounts for A.I.D. financing. All paragraphs of this § 201.65 except paragraphs (b), (c), and (d) apply to all transactions governed by this Part 201. Paragraphs (b), (c), and (d) of this § 201.65 apply only with respect to shipments to Laos and Vietnam. A supplier to either Laos or Vietnam who in any particular situation is precluded under paragraph (b), (c), or (d) of this § 201.65 from making a dollar commission or service payment may make a local-currency commission or service payment using the two-invoice procedure described in paragraph (e) of this § 201.65.

c. In subparagraph (i) (1) of § 201.65, after words "paragraph (e)" delete words "or (f)".

*Effective date.* The foregoing amendments shall enter into effect upon publication in the FEDERAL REGISTER.

Dated: December 14, 1970.

MAURICE J. WILLIAMS,  
Deputy Administrator.

[F.R. Doc. 70-17302; Filed, Dec. 23, 1970; 8:45 a.m.]

**Title 32A—NATIONAL DEFENSE, APPENDIX**

Chapter VI—Bureau of Domestic Commerce, Department of Commerce  
[DPS Reg. 1 (formerly BDSA Reg. 2 as amended), Amdt. 5]

**DPS REG. 1—BASIC RULES OF THE PRIORITIES SYSTEM**

**Change in List A; Correction**

DECEMBER 3, 1970.

The second paragraph of F.R. Doc. 70-16180 appearing in the FEDERAL REGISTER

of December 5, 1970 on page 18528 is corrected to read as follows:

This amendment supersedes Amendment 4 to DPS Regulation 1 (formerly BDSA Reg. 2, Amdt. 9, 31 F.R. 13852). It affects DPS Regulation 1 as heretofore amended by continuing to exclude from the category of items not subject to ratings the following, thereby making them subject to ratings under this regulation: (a) Copper intermediate shapes, and (b) radioisotopes, stable isotopes, source and fissionable materials not produced by Government-owned plants or facilities operated by or for the Atomic Energy Commission. Commencing with January 1, 1971, the effective date of this amendment, it further affects DPS Regulation 1 as heretofore amended by including domestic refined copper (as previously defined in Dir. 2 to BDSA Order M-11A, 34 F.R. 18300) copper-base alloy ingot, shot, and waffle containing 3 percent or more of nickel (by weight) as among the copper raw materials not subject to ratings under this regulation.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2164; sec. 1, Public Law 91-379, 50 U.S.C. App. 2166; E.O. 10480, as amended, 18 F.R. 4939, 6201, 19 F.R. 3807, 7249, 21 F.R. 1673, 23 F.R. 5061, 6971, 24 F.R. 3779, 27 F.R. 9683, 11447; DMO 8400.1, 28 F.R. 12164; Commerce Department Organization Order No. 40-1A, 35 F.R. 15174)

This amendment shall take effect January 1, 1971.

BUREAU OF DOMESTIC COMMERCE,  
WILLIAM D. LEE,  
Director.

[F.R. Doc. 70-17393; Filed, Dec. 23, 1970; 8:50 a.m.]

**Title 50—WILDLIFE AND FISHERIES**

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

**PART 28—PUBLIC ACCESS, USE, AND RECREATION**

**Bombay Hook National Wildlife Refuge, Del.**

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

§ 28.28 Special regulations: recreation; for the individual wildlife refuge areas.

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE  
Travel by motor vehicle, bicycle, or on foot, is permitted on designated routes unless prohibited by posting, for the purpose of nature study, photography, hiking, and sight-seeing, during daylight hours. Pets are permitted if on a leash not over 10 feet in length. Picnicking is permitted in designated areas where facilities are provided. Access by boat for fishing in tidal waters is per-

mitted. Public hunting may be permitted under special regulations.

The refuge area, comprising 16,280 acres, is delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, MA 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1971.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of Sport Fisheries and Wildlife.

DECEMBER 11, 1970.

[F.R. Doc. 70-17313; Filed, Dec. 23, 1970; 8:46 a.m.]

**PART 28—PUBLIC ACCESS, USE, AND RECREATION**

**Prime Hook National Wildlife Refuge, Del.**

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

§ 28.28 Special regulations: recreation; for the individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

Public access, during daylight hours, for the purpose of nature study, photography, hiking, and sight-seeing is permitted. Access on foot is permitted except in areas posted as closed, and by motor vehicle on designated travel routes. Pets are allowed if on a leash not exceeding 10 feet in length. Hunting and fishing are permitted under special regulations.

The refuge area, comprising 6,355 acres, is delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, MA 02109.

Provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1971.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of Sport Fisheries and Wildlife.

DECEMBER 11, 1970.

[F.R. Doc. 70-17314; Filed, Dec. 23, 1970; 8:46 a.m.]

**PART 28—PUBLIC ACCESS, USE AND RECREATION**

**Erie National Wildlife Refuge, Pa.**

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

**§ 28.28 Special regulations: Recreation; for the individual wildlife refuge areas.**

**PENNSYLVANIA**

**ERIE NATIONAL WILDLIFE REFUGE**

Entry on foot or by motor vehicle is permitted on designated travel routes for the purpose of nature study, photography, and sightseeing, during daylight hours. Pets are allowed if on a leash not over 10 feet in length. Use of the picnic area is permitted from 6 a.m. to 9:30 p.m. May 30 to October 15. Fishing and hunting under special regulations may be permitted on parts of the refuge.

The refuge area, comprising 4,961 acres, is delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, MA 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1971.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

DECEMBER 11, 1970.

[F.R. Doc. 70-17315; Filed, Dec. 23, 1970; 8:46 a.m.]

**PART 28—PUBLIC ACCESS, USE AND RECREATION**

**Erie National Wildlife Refuge, Pa.**

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

**§ 28.7 Special regulations: Operation of vehicles.**

**PENNSYLVANIA**

**ERIE NATIONAL WILDLIFE REFUGE**

Snowmobiles may be operated on Erie National Wildlife Refuge in the area designated by posting.

The operation of snowmobiles shall be subject to the following special conditions:

(1) Use restricted to the period December 25 through March 15, between the hours of sunrise and 10 p.m. e.s.t., and only when there is at least 4 inches of snow cover on the area set aside for snowmobile use.

(2) All snowmobiles using the designated refuge area shall be equipped with noise control devices which have a manufacturer's rating of not more than 70 decibels on the A scale, as measured at 50 feet on a snow-packed course with the vehicle operating at a speed of at least 10 miles an hour.

(3) Operated only in such manner and at such a speed that no persons or property will be endangered.

(4) Parking will be limited to areas designated by signs for this purpose.

(5) Snowmobiles will not be left on the refuge overnight.

(6) All persons must be in a snowmobile or in a trail vehicle that is fixed to the snowmobile by a rigid tongue.

(7) No firearms or archery equipment are to be carried on snowmobiles.

(8) No form of wildlife may be chased or harried by snowmobiles.

The refuge area, comprising 4,961 acres, is delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, MA 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1971.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

DECEMBER 11, 1970.

[F.R. Doc. 70-17316; Filed, Dec. 23, 1970; 8:46 a.m.]

**PART 33—SPORT FISHING**

**Chautauqua National Wildlife Refuge, Ill.**

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

**§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.**

**ILLINOIS**

**CHAUTAUQUA NATIONAL WILDLIFE REFUGE**

Sport fishing on the Chautauqua National Wildlife Refuge, Havana, Ill., is permitted only on the areas designated by signs as open to fishing. These open areas comprising 3,800 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) The open season for sport fishing on the refuge extends from sunrise to sunset each day during the following periods: from January 1, 1971, through March 14, 1971 in designated waters of Lake Chautauqua; from March 15, 1971, through September 30, 1971 in all waters of Lake Chautauqua; from October 1, 1971, through December 31, 1971 in designated waters of Lake Chautauqua; and from January 1, 1971, through December 31, 1971, in designated waters of Liverpool Lake and the refuge borrow ditches.

(2) The use of boats, powered by motors of ten (10) horsepower or less, is permitted in the waters of Lake Chautauqua.

(3) No person shall enter upon or fish from any dike, water control structure or shoreline within the refuge except at the Recreation Area, Boatyard No. 3 or along the cross dike.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through December 31, 1971.

GERALD L. CLAWSON,  
Refuge Manager, Chautauqua  
National Wildlife Refuge, Havana, Ill.

DECEMBER 14, 1970.

[F.R. Doc. 70-17341; Filed, Dec. 23, 1970; 8:48 a.m.]

**Title 32—NATIONAL DEFENSE**

**Chapter I—Office of the Secretary of Defense**

**SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN**

**PART 44—ENLISTMENT AND DISCHARGE OF INDIVIDUALS WITH JUVENILE AND YOUTHFUL OFFENDER RECORDS**

**PART 85—ADVANCE PAY FOR MILITARY PERSONNEL**

**Discontinuance of Codification**

Codification of the following Parts has been discontinued, effective immediately: Parts 44 and 85.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directives Division, OASD  
(Administration).

[F.R. Doc. 70-17350; Filed, Dec. 23, 1970; 8:49 a.m.]

**SUBCHAPTER M—MISCELLANEOUS**

**PART 191—EQUAL OPPORTUNITY WITHIN THE DEPARTMENT OF DEFENSE**

The Secretary of Defense approved the following on December 14, 1970:

- Sec.  
191.1 Purpose.  
191.2 Applicability and scope.  
191.3 Policy.  
191.4 Responsibilities.

**AUTHORITY:** The provisions of this Part 191 issued under sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 133.

**§ 191.1 Purpose.**

This part implements Executive Order 11375, Executive Order 11478, and Civil Service Commission Federal Personnel Manual, Chapter 713 and assigns basic responsibilities for the policies set forth in Executive Order 11246 and Department of Labor Rules and Regulations (41 CFR Chapter 60), which carry forward a program of equal opportunity in Government employment, employment by Federal contractors and subcontractors, and employment under federally assisted construction contracts regardless of race, color, religion, sex, or national origin. It further extends those policies to cover military personnel

and assigns responsibility for assuring compliance with the Federal Equal Opportunity Program throughout the Department of Defense.

#### § 191.2 Applicability and scope.

The provisions of this part apply to all DOD Components and cover military personnel and civilian employees, non-appropriated fund employees, and applicants for employment in the Department of Defense, and personnel of firms under contract with the Department of Defense (DOD Directive 1100.11, Equal Employment Opportunity, Government Contracts, August 9, 1968).<sup>1</sup>

#### § 191.3 Policy.

(a) Equal opportunity and treatment shall be accorded all military members and civilian employees of the Department of Defense irrespective of their race, color, religion, sex, or national origin consistent with requirements for physical capabilities.

(b) Discriminatory treatment, on and off base, directed against uniformed members (or their dependents) and civilian employees undermines their morale and efficiency and therefore their effectiveness. Each commander shall initiate action to oppose and overcome such discriminatory action and impose appropriate restrictions in housing discrimination cases as required by DOD Instruction 1338.15<sup>1</sup> Equal Opportunity for Military Personnel in Off-Base Housing Program, and use the off-limits sanction in accordance with Armed Forces Dis-

ciplinary Control Board procedures in other discrimination cases.

(c) Equal opportunity for civilian members shall translate into Aggressive Affirmative Action Programs, specifically including the Federal Women's Programs, which shall include the use of numerical goals and timetables as a means to increase the utilization of minorities in occupations and levels in which their representation is out of balance. Such goals are to be attainable but challenging and are to insure progress toward full integration of the work force at all levels.

(d) Department of Defense contractors shall be required to comply with the policy of equal employment opportunity in accordance with Executive Orders 11246/11375, as implemented by DOD Directive 1100.11<sup>1</sup> and the Armed Services Procurement Regulation (Subchapter A of this chapter).

#### § 191.4 Responsibilities.

(a) The Assistant Secretary of Defense (Manpower and Reserve Affairs) is responsible overall for equal opportunity in the Department of Defense. In this respect he shall:

(1) Represent the Secretary of Defense in equal opportunity matters.

(2) In accordance with standard procedures, give direction to DOD-wide programs to insure equal opportunity for uniformed members and civilian employees, including the issuance and implementation of written instructions as necessary.

(3) Provide policy direction and overall guidance to the Defense Contracts Compliance Program in accordance with DoD Directive 1100.11.<sup>1</sup>

(4) Utilize the established Office of the Deputy Assistant Secretary of Defense (Equal Opportunity) to assist in carrying out his function.

(b) The Secretaries of the Military Departments, the Directors of the Defense Agencies, and the Assistant Secretary of Defense (Administration) for the Office of the Secretary of Defense/Organization of the Joint Chiefs of Staff shall be responsible for equal opportunity within their respective jurisdictions. In this respect they shall insure implementation of DOD policy on equal opportunity as follows:

(1) Assure that the policy of equal opportunity is understood at all levels of organization.

(2) Establish and maintain Affirmative Action Programs that identify areas of deficiency and provide a means of correcting them.

(3) Provide uniform reporting systems to measure results.

(4) Consider leadership in operating successful Equal Opportunity Programs as a criterion in the evaluation for promotion of military and civilian officials.

(5) Impose effective sanctions for non-compliance against officials who fail to produce satisfactory results and for similar failures by business firms recommend the imposition of sanctions as prescribed in DOD Directive 1100.11.<sup>1</sup>

(6) Take the initiative, in coordination with the Assistant Secretary of Defense (Manpower and Reserve Affairs), to repeal or amend any regulation that serves as an obstacle to providing equal opportunity for all uniformed members and civilian employees.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directives Division, OASD  
(Administration).

[F.R. Doc. 70-17395; Filed, Dec. 23, 1970;  
8:50 a.m.]

<sup>1</sup> Filed as part of original. Single copies may be obtained, if needed, from U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120. Attention: Code 300.

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[ 25 CFR Part 221 ]

### CROW INDIAN IRRIGATION PROJECT, MONTANA

#### Operation and Maintenance Charges

*Basis and purpose.* Notice is hereby given that pursuant to the authority contained in the Acts of Congress approved August 1, 1914 (38 Stat. 583), May 18, 1916 (39 Stat. 142) and March 7, 1928 (45 Stat. 210), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs (Order No. 2508; 14 F.R. 258), and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Area Director BIAM 3.1 (34 F.R. 637, January 16, 1969, and by authority delegated to the Project Engineer and to the Superintendent by the Area Director June 11, 1969 Release 10-2, 10 BIAM 7.0, §§ 2.70-2.75, notice is hereby given of the intention to modify § 221.12 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Crow Indian Irrigation Project, Mont., that are not subject to the jurisdiction of the several irrigation districts. Purpose of this amendment is to establish the assessment charges for the season 1972 and thereafter until further notice, and which charges are applicable to all irrigable lands in the Crow Indian Irrigation Project that are not included in the Irrigation districts organizations.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions or objections with respect to the proposed amendment to the Area Director, U.S. Bureau of Indian Affairs, 316 North 26th Street, Billings, MT 59101, within thirty (30) days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

Section 221.12 is amended to read as follows:

#### § 221.12 Charges.

In compliance with the provisions of the act of August 1, 1914 (38 Stat. 583; 25 U.S.C. 385), the operation and maintenance charges, for irrigable lands under the Crow Indian Irrigation Project and under certain private ditches for the calendar year 1972 and subsequent years until further notice, are hereby fixed as follows:

For the assessable nondistrict area under constructed works on all Government-operated units excepting Coburn Ditch, per acre..... \$3.72

For the assessable area under constructed works on certain tracts of irrigable trust patent Indian land within and benefited by the Two Leggins Unit, per acre..... \$2.39

For the assessable area on certain tracts of irrigable trust patent Indian land within and benefited by the Bozeman Trail Unit, per acre.... 1.40

For all lands in Indian ownership under the Bozeman Trail Unit on June 28, 1946, and under constructed works on all Government-operated units in the Little Big Horn watershed; for non-Indian, nonirrigation district lands, under private ditches, contracting for the benefits and repayment for the costs of the Willow Creek Storage Works; for operation of said Works per acre..... .20

For certain tracts of irrigable trust patent Indian lands within and benefited by the Two Leggins Drainage District (contract dated June 29, 1932), per acre..... .85

JAMES O. JACKSON,  
Superintendent, Crow Agency.

[F.R. Doc. 70-17340; Filed, Dec. 23, 1970;  
8:48 a.m.]

[ 25 CFR Part 221 ]

### CROW INDIAN IRRIGATION PROJECT, MONT.

#### Operation and Maintenance Charges

*Basis and purpose.* Notice is hereby given that pursuant to the authority contained in the Acts of Congress approved August 1, 1914 (38 Stat. 583), May 18, 1916 (39 Stat. 142) and March 7, 1928 (45 Stat. 210), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs (Order No. 2508; 14 F.R. 258), and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Area Director BIAM 3.1 (34 F.R. 637), January 16, 1969 and by authority delegated to the Project Engineer and to the Superintendent by the Area Director June 11, 1969, Release 10-2, 10 BIAM 7.0, §§ 2.70-2.75, notice is hereby given of the intention to modify §§ 221.13a, 221.13b, and 221.13c of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Crow Indian Irrigation Project, Mont., that are subject to the jurisdiction of the several irrigation districts. Purpose of this assessment is to establish the assessment charges for the season 1972 and thereafter until further notice, and which charges are applicable to all irrigable lands in the Crow Indian Irrigation Project that are included in the irrigation districts organization that are subject to the jurisdiction of the three irrigation districts.

It is the policy of the Department of the Interior, whenever practicable, to afford the public the opportunity to

participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions or objections with respect to the proposed amendment to Area Director, U.S. Bureau of Indian Affairs, 316 North 26th Street, Billings, MT, within thirty (30) days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

#### § 221.13a Charges, Big Horn Irrigation District.

Pursuant to a contract executed by the Big Horn Irrigation District, Crow Indian Irrigation Project, Mont., and approved by the Secretary of the Interior on June 28, 1948, notice is hereby given that an assessment of \$3.72 per acre is hereby fixed for the season of 1972 and subsequent years until further notice, for the operation and maintenance of the irrigation systems which serve that portion of the project within the confines and under the jurisdiction of the Big Horn Irrigation District. This assessment is applicable to an area of approximately 8,000 acres; does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

(26 F.R. 6713, July 27, 1961)

#### § 221.13b Charges, Lower Little Horn and Lodge Grass Irrigation District.

(a) Pursuant to a contract executed by the Lower Little Horn and Lodge Grass Irrigation District, Crow Indian Irrigation Project, Mont., and approved by the Secretary of the Interior on June 28, 1948, notice is hereby given that an assessment of \$3.72 per acre is hereby fixed for the season of 1972 and subsequent years until further notice, for the operation and maintenance of the irrigation systems which serve the portion of the project within the confines and under the jurisdiction of the Lower Little Horn and Lodge Grass Irrigation District. This assessment is applicable to an area of approximately 2,500 acres; does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

(b) Pursuant to a second contract executed by the above district and approved by the Assistant Secretary of the Interior on June 28, 1951, notice is hereby given that an assessment of twenty cents (\$0.20) per acre is hereby fixed for the season of 1972 and subsequent years until further notice for the operation and maintenance of the Willow Creek storage works which serve storage water either directly or by substitution to that portion of the project within the confines and under the jurisdiction of the Lower Little Horn and Lodge Grass Irrigation District.

(26 F.R. 6713, July 27, 1961)

§ 221.13c Charges, Upper Little Horn Irrigation District.

(a) Pursuant to a contract executed by the Upper Little Horn Irrigation District, Crow Indian Irrigation Project, Mont., and approved by the Secretary of the Interior on June 28, 1948, notice is hereby given that an assessment of \$3.72 per acre is hereby fixed for the season of 1972 and subsequent years until further notice for the operation and maintenance of the irrigation systems which serve storage water either directly or by substitution to that portion of the project within the confines and under the jurisdiction of the Upper Little Horn Irrigation District. This assessment includes an area of approximately 1,500 acres; does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

(b) Pursuant to a second contract executed by the above district and approved by the Assistant Secretary of the Interior on June 28, 1951, notice is hereby given that an assessment of twenty cents (0.20) per acre is hereby fixed for the season of 1972 and subsequent years until further notice, for the operation and maintenance of the Willow Creek storage works which serve storage water either directly or by substitutions to that portion of the project within the confines and under the jurisdiction of the Upper Little Horn Irrigation District.

(26 F.R. 6713 July 27, 1961)

JAMES O. JACKSON,  
Superintendent, Crow Agency.

[F.R. Doc. 70-17348; Filed, Dec. 23, 1970;  
8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 70]

POULTRY AND EDIBLE PRODUCTS THEREOF

Additional Time for Comments

On November 11, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (F.R. Vol. 35, No. 220, 17340) to amend the Regulations Governing the Grading and Inspection of Poultry and Edible Products Thereof, and U.S. Classes, Standards, and Grades With Respect Thereto (7 CFR Part 70). The proposed amendment would provide for a new standard for A quality battered and/or breaded poultry parts.

The notice provided for interested parties to submit comments until December 18, 1970. Requests have been received to provide an additional period for submission of comments regarding the proposed amendment. Therefore, notice is hereby given to provide for an additional period of time until January 22, 1971, for submitting comments.

All persons who desire to submit written data, views, or arguments in connection with the proposal shall file the same in triplicate with the Hearing Clerk, U.S. Department of Agriculture, Room

112, Administration Building, Washington, D.C. 20250, no later than January 22, 1971.

All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., this 18th day of December 1970.

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

[F.R. Doc. 70-17327; Filed, Dec. 23, 1970;  
8:47 a.m.]

[7 CFR Parts 916, 917]

[Dockets Nos. AO-303-A2, AO-90-A5]

NECTARINES, AND FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Notice of Hearing With Respect to Proposed Further Amendment of Marketing Agreements and Orders

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended, 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held beginning at 9:30 a.m., local time, January 13, 1971, in the Assembly Room, Room 1036, State Building, 2550 Mariposa Street, Fresno, Calif., with respect to proposed further amendments of the marketing agreements and orders (7 CFR Parts 916 and 917), regulating respectively, the handling of nectarines grown in California and the handling of fresh pears, plums, and peaches grown in California.

The proposed amendments have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments hereinafter set forth, and to any appropriate modifications thereof.

A. The Nectarine Administrative Committee, the administrative agency established pursuant to the marketing agreement, as amended, and Order No. 916, as amended, has submitted the following proposals:

1. Amend § 916.21 *Term of office* to read as follows:

§ 916.21 *Term of office.*

The term of office of each member and alternate member of the committee shall be for 2 years beginning on March 1 of an odd numbered year and ending on the last day of February of an odd numbered year. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified.

2. Revise paragraph (b) (1) of § 916.22 *Nomination* to read as follows:

§ 916.22 *Nomination.*

(b) *Successor members.* (1) The committee shall hold or cause to be held, not later than February 15 of each odd numbered year, a meeting or meetings of growers in each district for the purpose of designating nominees for successor members and alternate members of the committee. These meetings shall be supervised by the committee which shall prescribe such procedure as shall be reasonable and fair to all persons concerned.

3. Revise paragraph (a) of § 916.37 *Shippers' Advisory Committee* to read as follows:

§ 916.37 *Shippers' Advisory Committee.*

(a) A Shippers' Advisory Committee, consisting of five members and their respective alternates who shall be handlers, or employees of handlers, selected by the handlers in accordance with the provisions of this section, is hereby established. The members and their respective alternates shall be selected biennially for a term ending on the last day of February of odd numbered years. An alternate member shall, in the event of the member's absence from a meeting of the committee, act in the place and stead of such member, and, in the event of a vacancy in the office of such member, shall act in the place and stead of such member until a successor for the unexpired term of such member has been selected.

4. Amend § 916.45 *Marketing research and development* to read as follows:

§ 916.45 *Marketing research and development.*

The committee, with the approval of the Secretary, may establish or provide for the establishment of production research, marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of nectarines. Such projects may provide for any form of marketing promotion including paid advertising. The expense of such projects shall be paid by funds collected pursuant to § 916.41.

5. Revise paragraph (e) of § 916.64 *Termination* to read as follows:

§ 916.64 *Termination.*

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

B. The Control Committee, the administrative agency for the marketing

agreement, as amended, and Order No. 917, as amended, has submitted the following proposals:

1. Amend § 917.4 *Fruit* to read as follows:

§ 917.4 *Fruit.*

"Fruit" means the edible product of the following three kinds of trees which are grown in the production area and shipped in fresh form: all varieties of plums and peaches and all varieties of pears except Beurre Hardy, Beurre D'Anjou, Beurre Bosc, Winter Nellis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau.

2. Amend § 917.5 *Grower* to read as follows:

§ 917.5 *Grower.*

"Grower" is synonymous with "producer" and means any person who produces fruit for market in fresh form and who has a proprietary interest therein.

3. Revise paragraphs (k), (q), and (r) of § 917.14 *District* to read as follows:

§ 917.14 *District.*

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

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

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

4. Revise paragraph (b) of § 917.18 *Nomination of grower members on the Control Committee* to read as follows:

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

(b) A person nominated by any commodity committee for membership on the Control Committee shall be a member or an alternate member of the commodity committee which nominates him. Each member of each commodity committee shall have only one vote in the selection of nominees for membership on the Control Committee.

5. Amend § 917.20 *Designation of members of commodity committees* to read as follows:

§ 917.20 *Designation of members of commodity committees.*

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

modity committee shall be selected in accordance with § 917.25.

6. Amend § 917.22 *Nomination of Peach Commodity Committee members* to read as follows:

§ 917.22 *Nomination of Peach Commodity Committee members.*

Nomination for membership on the Peach Commodity Committee shall be made by growers of peaches in the respective representation areas, as follows:

(a) South Coast and Southern California District one nominee.

(b) Tehachapi District and Kern District one nominee.

(c) Tulare District one nominee.

(d) Fresno District eight nominees.

(e) Stanislaus District and Stockton District one nominee.

(f) All of the production area not included in the Southern California District, Tehachapi District, Kern District, Tulare District, Fresno District, Stanislaus District, Stockton District, and the South Coast District one nominee.

7. Revise paragraph (b) of § 917.29 *Organization of committees* to read as follows:

§ 917.29 *Organization of committees.*

(b) A quorum of the Pear Commodity Committee, Plum Commodity Committee and Peach Commodity Committee shall each consist of 8 members.

8. Amend introductory language and paragraph (a) of § 917.35 *Powers and duties of each commodity committee* to read as follows:

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

Each commodity committee shall have the following powers and duties.

(a) With regard to the respective fruit for which it was established, to recommend to the Secretary regulation of shipments pursuant to the provisions of this part, and to possess such other powers and exercise such other duties as will properly effectuate the purposes of this part: *Provided, however,* That the commodity committees shall each make said recommendation pursuant to §§ 917.40 through 917.43 only upon affirmative vote of not less than 8 members of each said committee.

9. Amend § 917.39 *Market research and development* to read as follows:

§ 917.39 *Market research and development.*

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

10. Revise paragraph (e) of § 917.61 *Termination* to read as follows:

§ 917.61 *Termination.*

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

The Fruit and Vegetable Division, Consumer and Marketing Service has proposed that consideration be given to making such other changes in the marketing agreements and orders as may be necessary to make each marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing may be obtained from the Office of the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, or the Sacramento Marketing Field Office, Fruit and Vegetable Division, Consumer and Marketing Service, 2800 Cottage Way, Room E 2713, Sacramento, CA 95825.

Dated: December 18, 1970.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 70-17326; Filed, Dec. 23, 1970;  
8:47 a.m.]

## DEPARTMENT OF LABOR

Office of the Secretary

[41 CFR Part 60]

### REASONABLE ACCOMMODATIONS TO THE RELIGIOUS NEEDS OF EM- PLOYEES AND APPLICANTS

#### Notice of Proposed Rule Making

Notice is hereby given that, pursuant to Executive Order 11246 (30 F.R. 12319), as amended by Executive Order 11375 (32 F.R. 14303), the Secretary of Labor is considering the addition of a new section 60-1.10, entitled "Reasonable Accommodations to the Religious Needs of Employees and Applicants," to Title 41 Part 60-1 of the Code of Federal Regulations.

The purpose of the proposed addition is to clarify the obligations of contractors and subcontractors subject to Executive Orders 11246 and 11375 with respect to the religious needs of their employees.

This proposed addition concerns matters relating to public contracts. While public participation in this rule-making is not required by 5 U.S.C. 553, the Department wishes to invite written comments, suggestions, or objections regarding this proposed addition. Accordingly, interested persons are invited to submit written comments, regarding the proposed addition to Mr. Arthur A. Fletcher, Assistant Secretary for Workplace Standards, U.S. Department of Labor, 14th Street and Constitution Avenue NW., Washington, DC 20210, within

30 days after the date of publication of this notice in the FEDERAL REGISTER.

Part 60-1 of Chapter 60 of Title 41 of the Code of Federal Regulations is hereby amended by adding § 60-1.10, reading as follows:

**§ 60-1.10 Observance of Sabbath and other holidays.**

(a) In order to comply with his obligations under the equal opportunity clause an employer must make reasonable accommodations to the religious needs of employees and applicants for employment who regularly observe Friday evening and Saturday, or some other day of the week, as the Sabbath or who observe certain special religious holidays during the year and, as a consequence, do not work on such days. The obligation on the part of the employer to make reasonable accommodations to the religious needs of employees and applicants for employment exists when such accommodations can be made without undue hardship on the conduct of the employer's business. Such undue hardship, for example, may exist where the employee's needed work cannot be performed by another employee of substantially similar qualifications during the period of absence of the Sabbath observer.

(b) Because the employer has the information upon which a judgment may be made, he has the burden of showing that an undue hardship renders the required accommodations to the religious needs of the employee or applicant unreasonable.

(c) Every employer shall maintain and preserve records containing the following information:

(1) Names and addresses of each employee and applicant for employment described in paragraph (a) of this section who has been discharged or denied employment and the reason or reasons in detail upon which the employer relies in justifying such discharge or refusal to hire.

(2) A listing of all job categories (job "category" herein meaning one or a group of jobs having similar content, wage rates and opportunities) for which the employer will make no accommodations to the religious needs of employees or applicants and detailed reasons in support of the employer's position in this regard.

(d) Upon request by an interested individual or organization, a prime contractor or subcontractor shall provide an assurance, in the form of a signed or endorsed notice which shall be made available for general distribution in connection with solicitation or advertisement for employees, expressly stating the extent to which the prime contractor or subcontractor will accommodate to the religious needs of employees who observe Friday evening and Saturday, or some other day of the week, as the Sabbath, or who observe certain special religious holidays during the year and, as a consequence, do not work on such days.

(E.O. 11246, 30 F.R. 12319; E.O. 11375, 32 F.R. 14303)

Signed at Washington, D.C., this 21st day of December 1970.

J. D. HOBSON,  
Secretary of Labor.

[F.R. Doc. 70-17371; Filed, Dec. 23, 1970; 8:50 a.m.]

**DEPARTMENT OF TRANSPORTATION**

National Highway Safety Bureau

[ 49 CFR Part 571 ]

[Docket No. 70-28; Notice 2]

**MOTORCYCLE CONTROLS AND DISPLAYS**

Extension of Time for Comments

A notice of proposed amendment to 49 CFR 571.21, Federal Motor Vehicle Safety Standards, which would add a new standard, Motorcycle Controls and Displays, was published on November 6, 1970 (35 F.R. 17117). The closing date for comments on this proposal is January 5, 1971. Motorcycle Industry Council, Inc. and Kawasaki Motors Corp. have petitioned for an extension of the closing date to allow a more accurate translation of the proposal and thus permit more meaningful comment by the foreign members of the motorcycle industry, as well as to evaluate through testing the practicability of the proposal. In response to this request, the closing date for comments is hereby extended to March 6, 1971.

This notice is issued 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 delegations of authority at 49 CFR 1.51 (35 F.R. 4955) and 49 CFR 501.8 (35 F.R. 11126).

Issued on December 21, 1970.

RODOLFO A. DIAZ,  
Acting Associate Director,  
Motor Vehicle Programs.

[F.R. Doc. 70-17349; Filed, Dec. 23, 1970; 8:49 a.m.]

**FEDERAL POWER COMMISSION**

[ 18 CFR Part 2 ]

[Docket No. R-218]

**INDEPENDENT PRODUCER PRICING AREAS**

Order Terminating Proposed Rule Making Proceeding

DECEMBER 14, 1970.

The Commission, by notice issued June 11, 1962 (27 F.R. 5714, June 15, 1962), proposed a revision of the boundaries of the pricing areas set out in the appendix to Statement of General Policy No. 61-1 issued by the Commission September 28, 1960 (24 FPC 818 at 820, 25 F.R. 13969, 18 CFR 2.56), and the establishment of certain new areas. Subsequently by order issued November 27, 1963, the Commission deferred further consideration of the proposed changes (28 F.R. 12945, December 5, 1963).

Comments were received from a number of interested parties, many of which

expressed opposition to the proposed revisions of the previously established boundaries and with the boundaries of the new areas proposed. It now appears that the only significant revision which was proposed sought the enlargement of the Oklahoma-Panhandle Area. This was disposed of by the Commission's decision issued on September 18, 1970, in the Hugoton-Anadarko Area Rate Proceeding, Docket No. AR64-1, Opinion No. 586, which covered the enlarged area. The other proposals in Docket No. R-218 can more appropriately be disposed of by Commission decision in rate or other rulemaking proceedings. No useful purpose would be served by pursuing the subject rulemaking proceeding, and accordingly it should be terminated.

The Commission finds:

(1) The termination of the proposed rulemaking in Docket No. R-218 is appropriate and necessary for carrying out the provisions of the Natural Gas Act;

(2) Compliance with the effective date provisions of section 553 of title 5 of the United States Code is unnecessary.

The Commission, acting pursuant to authority granted by the Natural Gas Act, as amended, particularly sections 4, 5, 7, and 16 thereof (52 Stat. 822, 823, 824, 830; 56 Stat. 83, 84; 61 Stat. 459; 76 Stat. 72; 15 U.S.C. 717c, 717d, 717f, 717g), orders:

(A) Effective upon issuance of this order, the proposed rulemaking in Docket No. R-218 is terminated;

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-17338; Filed, Dec. 23, 1970; 8:48 a.m.]

**CIVIL SERVICE COMMISSION**

[ 5 CFR Part 890 ]

**FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM**

Withdrawal of Proposed Rule Making Regarding Reserves

Under date of April 25, 1970, 35 F.R. 6663 (F.R. Doc. 70-5032) notice of proposed rule making was given concerning a proposed amendment of § 890.503(c) (2) of Title 5 of the Code of Federal Regulations to revise the formula for determining the amount to be paid carriers from the contingency reserve held by the Civil Service Commission. The Commission, having considered the comments submitted concerning the proposed amendment, has determined that the proposed amendment will not be made at this time and, accordingly, the notice of proposed rule making is canceled and withdrawn.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-17333; Filed, Dec. 23, 1970; 8:48 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

### Fiscal Service

[Dept. Circ. 570, 1970 Rev., Supp. No. 7]

### UNITED BONDING INSURANCE COMPANY

#### Termination of Authority To Qualify as Surety on Federal Bonds

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to United Bonding Insurance Company, Indianapolis, Indiana, under Sections 6 to 13 of Title 6 of the United States Code, to qualify as an acceptable surety on recognizances, stipulations, bonds and undertakings, permitted or required by the laws of the United States, is hereby terminated.

Bond-approving officers of the Government should, in instances where such action is necessary, secure new bonds with acceptable sureties in lieu of bonds executed by United Bonding Insurance Company.

Dated: December 22, 1970.

[SEAL] JOHN K. CARLOCK,  
Fiscal Assistant Secretary.

[F.R. Doc. 70-17433; Filed, Dec. 28, 1970;  
8:47 a.m.]

### Office of the Secretary CAPACITORS FROM JAPAN

#### Determination of Sales at Less Than Fair Value

##### Correction

In F.R. Doc. 70-16603 appearing on page 18681 in the issue for Wednesday, December 9, 1970, the word "parking" in the fourth line of the ninth paragraph should read "packing".

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Serial No. U12307]

#### UTAH

#### Notice of Classification of Public Lands for Multiple-Use Management

##### Correction

In F.R. Doc. 70-16089 appearing at page 18337 in the issue for Wednesday, December 2, 1970, the 33d line of the second column, now reading "north 1/2 mile, south 1/4 mile, east 1/4 mile," should read "north 1/2 mile, east 1 mile, south 1/4 mile, east 1/4 mile."

## CHIEF, DIVISION OF MANAGEMENT SERVICES ET AL.

### Delegation of Authority; Contracts and Leases

A. Pursuant to delegation of authority contained in Bureau Manual 1510.03B2c, the Chief, Division of Management Services, State Office; Chief, Branch of Administrative Management, State Office; District Managers are authorized to:

1. To enter into contracts with established sources for supplies and services, excluding capitalized equipment, regardless of amount, and

2. To enter into contracts on the open market for supplies and materials, excluding capitalized equipment, not to exceed \$2,500 per transaction (\$2,000 for construction), provided that the requirement is not available from established sources.

B. District Managers may redelegate the authority granted above.

ARCHIE D. CRAFT,  
State Director.

[F.R. Doc. 70-17342; Filed, Dec. 23, 1970;  
8:48 a.m.]

## CALIFORNIA

### Notice of Filing of California State Protraction Diagrams

Notice is hereby given that effective February 2, 1971, the following protraction diagrams are officially filed and of record in the Sacramento Land Office. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the land for all authorized purposes at and after 10 a.m. of the above date. Until this date and time, the diagrams have been placed in the open files and are available to the public for information only.

CALIFORNIA PROTRACTION DIAGRAM 99  
APPROVED AUGUST 4, 1970

T. 19 S., R. 29 E., M.D.M.,  
Sec. 1, NW 1/4, S 1/2;  
Sec. 2, E 1/2;  
Sec. 12, N 1/2.

T. 19 S., R. 30 E., M.D.M.,  
Sec. 1, NW 1/4, S 1/2;  
Sec. 2, E 1/2;  
Sec. 4, W 1/2;  
Sec. 5, all;  
Sec. 6, fractional;  
Sec. 7, all;  
Sec. 8, fractional;  
Sec. 11, E 1/2;  
Secs. 12 and 13, all;  
Sec. 14, NE 1/4, S 1/2;  
Sec. 23, N 1/2, SE 1/4;  
Sec. 24, N 1/2, SW 1/4.

T. 22 S., R. 32 E., M.D.M.,  
Sec. 29, W 1/2;  
Sec. 30, NE 1/4, S 1/2;  
Sec. 31, all;  
Sec. 32, W 1/2.  
T. 23 S., R. 32 E., M.D.M.,  
Sec. 8, S 1/2;  
Sec. 17, N 1/2, SW 1/4.

CALIFORNIA PROTRACTION DIAGRAM 102  
APPROVED SEPTEMBER 9, 1970

T. 26 S., R. 17 E., M.D.M.,  
Sec. 34, SE 1/4;  
Sec. 35, SW 1/4.

CALIFORNIA PROTRACTION DIAGRAM 131  
APPROVED SEPTEMBER 9, 1970

T. 32 S., R. 17 E., M.D.M.,  
Secs. 18, 19, 30, 31, fractional.  
T. 20 S., R. 30 E., M.D.M.,  
Sec. 8, fractional;  
Sec. 9, S 1/2;  
Sec. 11, S 1/2;  
Sec. 12, S 1/2;  
Secs. 13 and 16, all;  
Sec. 17, all except portion of HES 227;  
Secs. 20 and 28, all;  
Sec. 29, N 1/2, SE 1/4;  
Sec. 32, SE 1/4;  
Secs. 33 and 36, all.  
T. 20 S., R. 31 E., M.D.M.,  
Sec. 8, S 1/2;  
Sec. 17, N 1/2;  
Sec. 31, NE 1/4, S 1/2;  
Sec. 32, all;  
Sec. 34, E 1/2;  
Sec. 35, W 1/2.

CALIFORNIA PROTRACTION DIAGRAM 101  
APPROVED AUGUST 4, 1970

T. 21 S., R. 32 E., M.D.M.,  
Sec. 11, SE 1/4;  
Sec. 12, SW 1/4;  
Sec. 13, NW 1/4;  
Sec. 14, NE 1/4;  
Sec. 25, E 1/2;  
Sec. 35, E 1/2.

Copies of these diagrams are for sale at two dollars (\$2.00) each by the Survey Records Office, Bureau of Land Management, Room E-2807, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825.

JOHN E. CLUTE,  
Chief, Branch of Title and Records.

[F.R. Doc. 70-17343; Filed, Dec. 23, 1970;  
8:48 a.m.]

[Serial No. I-2837]

#### IDAHO

#### Notice of Classification of Public Lands for Multiple-Use Management; Correction

DECEMBER 18, 1970.

In F.R. Doc. 70-15899 appearing in the third column on page 18131 in the issue of Thursday, November 26, 1970, under Lincoln County, the land description should read as follows:

BOISE MERIDIAN, IDAHO

LINCOLN COUNTY

T. 5 S., R. 19 E.,  
Sec. 7, lot 4;  
Sec. 18, lot 1.

WILLIAM L. MATHEWS,  
State Director.

[P.R. Doc. 70-17344; Filed, Dec. 23, 1970;  
8:48 a.m.]

[New Mexico 929; Amdt. 4]

## NEW MEXICO

### Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 17, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and the regulations in 2400 and 2460, the public lands described below were classified for multiple use management (32 F.R. 3894-3895) on March 9, 1967. Publication of this notice has the effect of further segregating the described lands from all forms of appropriation under the public land laws, including the general mining laws but not from the mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. No adverse comments were received following publication of a notice of proposed classification (35 F.R. 14732-14733). The record showing the comments received and other information is on file and can be examined in the Roswell District Office, Bureau of Land Management, 1902 South Main Street, Roswell, NM 88201. The public lands affected by this classification are located within the following described areas and are shown on a map designated 06-02, in the Roswell District Office, and at the Land Office, U.S. Post Office and Federal Building, Santa Fe, NM 87501.

## NEW MEXICO PRINCIPAL MERIDIAN

T. 22 S., R. 24 E.,  
Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$   
NW $\frac{1}{4}$ .  
T. 24 S., R. 26 E.,  
Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$   
SW $\frac{1}{4}$ .

The areas described aggregate approximately 180 acres in Eddy County.

3. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR § 2461.3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior LLM, 721, Washington, D.C. 20240.

W. J. ANDERSON,  
State Director.

[P.R. Doc. 70-17345; Filed, Dec. 23, 1970,  
8:48 a.m.]

[ES 6767; Survey Group 148]

## FLORIDA

### Amendment to Notice of Filing of Plat of Survey

In F.R. Doc. 70-12869 appearing on page 15024 in the issue for Saturday, September 26, 1970, paragraphs numbered 3 and 4 should read:

3. The land omitted from the original survey is similar in every respect to the land included in the original surveyed area, and the timber growth thereon attests to the fact that the area was land in place in 1845, when Florida was admitted into the Union, and at all times since. The omitted land area designated as the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  and lots 11, 12, 14, and 15 sec. 36 was found to be well over 50 percent upland in character. Except for valid existing rights, these lands will not be open to applications for use or disposition under the public land laws, including the mining and mineral leasing laws, until they have been classified and a further order is issued.

4. Lot 6 sec. 35 and lots 10, 13, and 15 sec. 36 were found to be over 50 percent swamp in character within the interpretation of the Swampland Grant Act of September 28, 1850. Title to these lands inured to the State of Florida as of that date, and these lands are, therefore, open only to selection by the State under that Act.

DORIS A. KOIVULA,  
Manager.

DECEMBER 16, 1970.

[P.R. Doc. 70-17318; Filed, Dec. 23, 1970;  
8:46 a.m.]

[BLM 042114]

## MICHIGAN

### Notice of Proposed Withdrawal and Reservation of Land

The Forest Service, Department of Agriculture, has filed application BLM 042114 for the withdrawal of the land described below. The land was conveyed to the United States pursuant to section 8 of the Taylor Grazing Act. It lies within the exterior boundary of the Hiawatha National Forest. It has not been open to entry under the public land laws. The applicant desires the land for the addition to, and consolidation with, national forest lands to permit more efficient administration thereof in the conservation of natural resources.

## MICHIGAN MERIDIAN

T. 43 N., R. 17 W.,  
Sec. 6, lot 4;  
Sec. 7, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 16, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 17, N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 29, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 32, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 33, SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 34, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , lot 3.  
T. 44 N., R. 17 W.,  
Sec. 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 753.29 acres.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, 7981 Eastern Avenue, Silver Spring, MD 20910.

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

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

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

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

DORIS A. KOIVULA,  
Manager.

DECEMBER 15, 1970.

[P.R. Doc. 70-17319; Filed, Dec. 23, 1970;  
8:46 a.m.]

[OR 1565]

## OREGON

### Notice of Amended Classification of Public Land for Multiple-Use Management

DECEMBER 15, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2400 and 2460, the public land within the area described in paragraph 4, herein, has been classified for multiple use management, notice of which was published in the FEDERAL REGISTER on November 23, 1967 (32 F.R. 16108). This publication had the effect of segregating the land described in paragraph 4 from appropriation only under the agricultural land laws (43 U.S.C. Chs. 7 and 9; 25 U.S.C., Sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) with the provision that the land shall remain open to all other applicable forms of appropriation, including the mining and mineral laws.

2. The purpose of the amended classification is to further segregate the land listed in paragraph 4 from operation of

the general mining laws (30 U.S.C. 21). Publication of this notice shall have the effect of so segregating the land.

3. The notice of proposed amendment of classification was published in the FEDERAL REGISTER, page 16101, October 14, 1970. No comments were received on the proposed classification notice.

4. The public land affected is as follows:

WILLAMETTE MERIDIAN

T. 19 S., R. 45 E.,

Sec. 14, N $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The public land in the area described contains approximately 120 acres.

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

ARTHUR W. ZIMMERMAN,  
Assistant State Director.

[F.R. Doc. 70-17320; Filed, Dec. 23, 1970;  
8:46 a.m.]

Bureau of Reclamation

[Public Notice No. 23]

GILA IRRIGATION PROJECT, ARIZONA; YUMA MESA DIVISION; SOUTH GILA VALLEY UNIT

Public Notice of Water Service and Charges Prior to Designation of Irrigation Block and Start of Development Period

DECEMBER 10, 1970.

Act of June 17, 1902, 32 Stat. 388, as amended or supplemented.

1. *Water service.* Irrigation water will be furnished to lands in the above-designated Unit, when available, to the extent that progress of construction of works contemplated under contract of July 23, 1962 (No. 14-06-300-1270), between the United States and the Yuma Irrigation District will permit, and subject to the provisions of the prescribed form of water service application. Such water service will begin January 1, 1971, and continue until such time as an irrigation block is designated and a development period starts pursuant to said contract or until further notice.

2. *Charges and terms of payment.* Charges for water service hereunder shall be payable in advance of the delivery of water, as follows:

(a) For lands furnished water before July 1, 1971, the minimum charge shall be \$10 for each acre of land for which water service is requested. Payment of this minimum charge in full and approval of the application will entitle the applicant to the delivery of a basic quantity equal to 5 acre-feet of water per acre during the calendar year and to purchase additional water for delivery to the same lands prior to January 1 of the succeed-

ing calendar year, at the rate of \$3 per acre-foot, subject to the provisions of the application.

(b) The making of a water service application, payment of one-half of the minimum charge prior to July 1 and approval of the application will entitle the applicant to receive as much as but not more than one-half the basic quantity of water applied for under subdivision (a) above. No part of the other one-half of the basic quantity of water applied for nor any additional water shall be delivered until the other one-half of the minimum charge has been paid in full.

(c) If water service hereunder begins on or after July 1, 1971, the minimum charge shall be \$5 for each acre of land for which water service is applied for and approved. Payment of this minimum charge will entitle the applicant to delivery of a basic quantity equal to 2 $\frac{1}{2}$  acre-feet of water per acre prior to January 1 of the succeeding calendar year, and to purchase additional water for delivery to the same lands during the same period at the rate of \$3 per acre-foot, subject to the provisions of the application.

3. *Refund or credit.* No refund or credit will be given for any part of a basic quantity of water paid for but not used by an applicant during any calendar year, except that credit may be given against the minimum charge payable by such applicant in the calendar year immediately following any calendar year for which water was paid for and unused to the extent that the Project Manager determines that the water was unused because of defects in the Government facilities or works needed to deliver water to the applicant's lands or because of interruptions in delivery due to replacements, maintenance, or repairs to such facilities or works. Any amount paid by an applicant during each calendar year for additional water which remains undelivered at the end of that year will at the option of the United States either be refunded to the applicant or be credited against the minimum charge payable by such applicant for the following calendar year.

4. *Acreage limitation.* Except as otherwise provided in the Reclamation Law (Act of June 17, 1902, 32 Stat. 388, as amended or supplemented), and the contract of July 23, 1962, as amended, no application will be accepted nor will water be delivered hereunder to any lands which constitute "excess lands" within the meaning of said laws and the aforesaid contract of July 23, 1962, as amended.

5. *Eligibility.* Water service applications, may be made by the landowner, by his duly authorized representative, or by anyone who presents evidence satisfactory to the Project Manager, Yuma Projects Office, Yuma, Ariz., that he is the tenant or lessee of the land for which water is requested.

6. *Application and payment.* The prescribed form of water service application, hereinabove referred to, may be examined at the office of the Projects

Manager, Yuma Projects Office, Yuma, Ariz. Completed water service applications and the required payments will be received at that office.

E. A. LUNDBERG,  
Regional Director.

[F.R. Doc. 70-17317, Filed, Dec. 23, 1970;  
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

ILLINOIS

Designation 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 Illinois natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

ILLINOIS

Bureau.	Mercer.
Fulton.	Monroe.
Henderson.	Peoria.
Henry.	Putnam.
Knox.	Rock Island.
La Salle.	Stark.
Marshall.	Warren.

Emergency loans will not be made in the above-named counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 18th day of December 1970.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 70-17328; Filed, Dec. 23, 1970;  
8:47 a.m.]

MINNESOTA

Designation of Area 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 Minnesota natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MINNESOTA

Clay.	Mahnomen.
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Emergency loans will not be made in the above-named counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 18th day of December 1970.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 70-17329; Filed, Dec. 23, 1970;  
8:47 a.m.]

#### NORTH CAROLINA

##### Designation 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 North Carolina natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### NORTH CAROLINA

Caswell. Person.  
Granville.

Emergency loans will not be made in the above-named counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 18th day of December 1970.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 70-17330; Filed, Dec. 23, 1970;  
8:47 a.m.]

#### SOUTH DAKOTA

##### Designation of Area 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 county in the State of South Dakota natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### SOUTH DAKOTA

Lincoln.

Emergency loans will not be made in the above-named county under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 18th day of December 1970.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 70-17331; Filed, Dec. 23, 1970;  
8:47 a.m.]

#### VERMONT

##### Designation of Area 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 county in the State of Vermont natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### VERMONT

Addison.

Emergency loans will not be made in the above-named county under this designation after June 30, 1971, except subsequent loans to qualified borrowers who receive initial loans under this designation on or before that date.

Done at Washington, D.C., this 18th day of December, 1970.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[F.R. Doc. 70-17332; Filed, Dec. 23, 1970;  
8:47 a.m.]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

G. RICHARD DUNNELLS

### Delegation of Authority

G. Richard Dunnells, Special Assistant to the Under Secretary, is hereby authorized to exercise the power and authority of the Deputy Assistant Secretary for Renewal and Housing Management and, during any absence of the Deputy Assistant Secretary, to serve as Acting Assistant Secretary for Renewal and Housing Management with all the power and authority delegated to the Assistant Secretary for Renewal and Housing Management.

This designation supersedes the designation published at 34 F.R. 18989, December 15, 1970.

(Sec. 7(d) Department of HUD Act, 42 U.S.C. 3535(d))

*Effective date.* This delegation and designation shall be effective as of December 10, 1970.

GEORGE ROMNEY,  
Secretary of Housing and  
Urban Development.

[F.R. Doc. 70-17424; Filed, Dec. 23, 1970;  
9:05 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Hazardous Materials Regulations Board

#### SPECIAL PERMITS ISSUED

DECEMBER 17, 1970.

Pursuant to Docket No. HM-1, Rule-making Procedures of the Hazardous Materials Regulations Board, issued May 22, 1968 (33 F.R. 8277) 49 CFR 170, following is a list of new DOT Special Permits upon which Board action was completed during November 1970:

Special permit No.	Issued to—Subject	Mode or modes of transportation
6330	Weldcraft Equipment and Oxygen Co. to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest period.	Rail, Highway.
6332	Scripto, Inc., to ship certain type lighters containing liquefied petroleum gas in DOT-12B fiberboard boxes.	Air.
6346	Shippers registered with this Board for shipments of fissile and large quantities of radioactive materials, n.o.s. in package identified as Model No. FSV-1 Cask.	Highway.
6347	Shippers registered with this Board for shipments of fissile radioactive materials, n.o.s. in drum type "birdcage" package identified as Model No. FSV-3.	Highway, Rail, Cargo-only aircraft.
6348	Shippers registered with this Board for shipments of specifically identified oxidizing materials (solid) in non-DOT specification polyethylene container not exceeding 5 gallon capacity.	Highway, Rail.
6350	Shippers registered with this Board for shipments of large quantities of radioactive materials, special form in package identified as the AECL Gammabeam 650 Irradiator.	Highway.
6351	Shippers registered with this Board for shipments of large quantities of radioactive materials, n.o.s. or special form in package identified as AECL Gammabeam 160 Irradiator.	Highway.
6352	Shippers registered with this Board for shipments of large quantities of radioactive materials, special form in package identified as the AECL Gammacell 200 Irradiator.	Highway.
6353	Shippers registered with this Board for shipments of Type B quantities of radioactive materials, special form in package identified as the AECL Model No. F-131 Transfer Case.	Highway.
6354	Shippers registered with this Board for shipments of radioactive materials, n.o.s. in package identified as the AECL Gammacell 20 Irradiator.	Highway.
6355	Shippers registered with this Board for shipments of large quantities of radioactive materials, n.o.s. or special form in package identified as the AECL Model No. F-147 Transfer Case.	Highway.
6356	U.S. Department of Defense to ship special form radioactive materials in Army Reactor Model MII-1A Spent Control Rod Shipping Cask.	Highway, Water.
6358	Shippers registered with this Board for shipments of Type B quantities, non-fissile solid radioactive materials in Model No. S. hl. 47a (Siemens Aktiengesellschaft) package.	Water, Cargo-only aircraft, Highway.

Special permit No.	Issued to—Subject—Continued	Mode or modes of transportation
6359	Jones Welder's Supply to ship certain compressed gases in DOT-3A, 3AA cylinders having a 10-year hydrostatic retest period.	Highway, Rail.
6360	Consolidated Cigar Corp. for shipments of liquefied petroleum gas in 2P inside containers not equipped with safety relief devices.	Highway, Rail.
6362	Shippers registered with this Board for shipments of large quantities of radioactive materials, special form, in U.S. Army Natick Laboratory Irradiator.	Highway.
6365	North American-Rockwell Corp. for a one-time shipment of metallic sodium in an ALCO/BLH Steam generator.	Highway.

WILLIAM K. BYRD,

Chairman, Hazardous Materials Regulations Board.

[P.R. Doc. 70-17322; Filed, Dec. 23, 1970; 8:47 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-113]

### UNIVERSITY OF ARIZONA

#### Notice of Proposed Issuance of Construction Permit and Amendment to Facility License

The Atomic Energy Commission (hereinafter "the Commission") is considering the issuance of a construction permit and subsequently an amendment to Facility License No. R-52 to The University of Arizona which would authorize the modification of the reactor console and the control rod mechanisms of the existing reactor facility located on the University's campus at Tucson, Ariz. The license authorizes operation of the reactor at power levels up to 100 kilowatts (thermal). The proposed amendment would not change this power level or the mode of operation.

Upon completion of the modifications to the reactor in compliance with the terms and conditions of the application and the construction permit, and in the absence of good cause to the contrary, the Commission will issue to The University of Arizona without prior notice, an amendment to Facility License No. R-52 authorizing the operation of the modified reactor since the application is complete enough to permit evaluation of the safety of the proposed operation of the reactor.

The Commission has found that the application for construction permit complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR Chapter I.

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

For further details with respect to these proposed issuances, see (1) the application dated May 25, 1970, and supplement dated October 23, 1970, (2) the related Safety Evaluation prepared by the Division of Reactor Licensing, and (3) the proposed construction permit and amendment to facility license, all of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., this 15th day of December 1970.

For the Atomic Energy Commission.

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

[P.R. Doc. 70-17334; Filed, Dec. 23, 1970; 8:48 a.m.]

[Docket No. 50-213]

### CONNECTICUT YANKEE ATOMIC POWER CO.

#### Order Extending Provisional Operating License Expiration Date

Connecticut Yankee Atomic Power Company having filed a request dated November 13, 1970, for an extension of the expiration date of Provisional Operating License No. DPR-14 which authorizes the possession and operation of the Haddam Neck Plant, a pressurized water nuclear reactor, at thermal power levels not to exceed 1,325 megawatts located in the town of Haddam, Middlesex County, Conn., and good cause having been shown in the application for this extension pursuant to paragraph 5 of said license and Part 50 of the Commission's regulations in 10 CFR: *It is hereby ordered*, That the expiration date of Provisional Operating License No. DPR-14 is extended from December 30, 1970, to December 30, 1971.

Dated at Bethesda, Md., this 15th day of December 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,  
-Division of Reactor Licensing.

[P.R. Doc. 70-17335; Filed, Dec. 23, 1970; 8:48 a.m.]

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. C-257]

ELWIN R. AND BETTY L. COX

#### Notice of Application for Transfer of Fishery

DECEMBER 18, 1970.

Elwin R. Cox and Betty L. Cox, 1310 Cedar Street, Fort Bragg, CA 95437, have applied for permission to transfer the operations of their 45.1-foot registered length steel vessel, purchased with the aid of a fisheries loan, from the fishery for salmon, tuna, and Dungeness crabs to the fishery for salmon, tuna, Dungeness crabs, and sablefish.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief,

Division of Financial Assistance.

[P.R. Doc. 70-17312; Filed, Dec. 23, 1970; 8:46 a.m.]

## FEDERAL HOME LOAN BANK BOARD

[H.C. No. 81]

H. F. AHMANSON & CO. AND  
AHMANCO, INC.

#### Notice of Receipt of Application for Approval of Acquisition of Control of Colonial Savings and Loan Association

DECEMBER 21, 1970.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the H. F. Ahmanson & Co., Los Angeles, Calif., a unitary savings and loan holding company which is controlled by Ahmanco, Inc., Los Angeles, Calif., for approval of acquisition of control of the Colonial Savings and Loan Association, San

Francisco, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730a(e)), and § 584.4 of the regulations for Savings and Loan Holding Companies, said acquisition to be effected by the merger of Colonial Savings and Loan Association into Home Savings and Loan Association, an insured subsidiary of H. F. Ahmanson & Co., by means of an exchange of shares of Colonial for shares in H. F. Ahmanson & Co. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,  
Secretary,

Federal Home Loan Bank Board.

[F.R. Doc. 70-17324; Filed, Dec. 23, 1970;  
8:47 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 523]

### COMMON CARRIER SERVICES INFORMATION<sup>1</sup>

#### Domestic Public Radio Services Appli- cations Accepted for Filing<sup>2</sup>

DECEMBER 21, 1970.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are

<sup>1</sup> All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

<sup>2</sup> The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic—Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application

accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,

Secretary.

#### APPLICATIONS ACCEPTED FOR FILING

##### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 3008-C2-P-(3)-71—Associated Telephone Answering Services (KKI452), C.P. to add control facilities to operate on frequency 454.125 MHz at location No. 2: 119 Richmond Drive SE., Albuquerque, NM; add frequency 152.12 MHz base and 459.125 MHz repeater at a new site described as location No. 4: La Mosca Peak, 16 miles northeast of Grants, N. Mex.
- 8089-C2-P-70—Mobilfone (KKA401), C.P. to add frequency 152.06 MHz at location No. 1: 1020 Southeast 64th Street, Oklahoma City, OK.
- 3120-C2-MP-(2)-71—RAM Broadcasting of Florida, Inc. (KRS662), Modification of C.P. to replace the base transmitters operating on 454.850 and 454.925 MHz and change the antenna system located at the Cape Royal Office Building, 1980 North Atlantic Avenue, Cocoa Beach, FL.
- 3121-C2-P-(2)-71—Headwaters Telephone Co. (KSD681), C.P. to add frequency 152.72 MHz; replace transmitter operating on 152.75 MHz and change the antenna system located at Junction Highway No. 17 and County Trunk A, Sugar Camp, Wis.
- 3148-C2-P-(3)-71—Kera Radio Dispatch (New), C.P. for a new 1-way station to operate on frequency 158.70 MHz base at location No. 1: Pelato Peak, Mount Pinos Road, 10 miles south of Maricopa, Calif.; frequency 75.70 MHz control at location No. 2: 2315 Q Street, Bakersfield, CA, and at location No. 3: 111 Asher Avenue, Taft, CA.
- 3184-C2-AL-71—Communication Service Co. Consent to assignment of license from Communication Service Co., Assignor to Joplin Mobilfone Service, Inc., Assignee. Station: KAH672 Joplin, Mo.
- 3185-C2-AL-71—Stillwell Telephone Corp. Consent to assignment of license from Stillwell Telephone Corp., Assignor, to Oklahoma Allied Telephone Co., Assignee. Station: KLB620 Stillwell, Okla.
- 3188-C2-P-71—Answer Iowa, Inc. (New), C.P. for a new 1-way station to be located at Second Avenue and Main Street, Marshalltown, IA, to operate on frequency 158.70 MHz.
- 3189-C2-P-71—Answer Iowa, Inc. (New), C.P. for a new 2-way station to be located at Second Avenue and Main Street, Marshalltown, IA, to operate on frequency 152.09 MHz.
- 3190-C2-TG-71—Boone County Telephone Co., Consent to transfer of control from Carl T. Moore, Lura A. Moore, W. J. Moore, and Marvin G. Moore, Transferors to: Allied Telephone Co., Transferee. Station: KLB775 Harrison, Ark.
- 3191-C2-P-71—Indiana Bell Telephone Co. (KSC875), C.P. replace transmitter operating on 152.75 MHz; change the antenna system and relocate same to 2.25 miles north of Marlon, Ind.
- 3213-C2-P/L(2)-71—RCA Alaska Communications, Inc. (New), C.P. and license for a new 2-way station to be located at Granite Mountain WACS near Nome and Haycock, Alaska, to operate on frequencies 152.51 and 152.57 MHz.
- 3214-C2-P/L(2)-71—RCA Alaska Communications, Inc. (New), C.P. and license for a new 2-way station to be located at Tin City WACS, near Nome and Teller, Alaska, to operate on frequencies 152.54 and 152.60 MHz.
- 3215-C2-P/L(2)-71—RCA Alaska Communications, Inc. (New), C.P. and license for a new 2-way station to be located at North River WACS near Unalakleet and Nome, Alaska, to operate on frequencies 152.69 and 152.75 MHz.

#### Correction

- 3067-C2-P/L-71—American Red Ball Transit Co., Inc., Correct informative entry to read: Using facilities of the Miscellaneous Common Carriers throughout the continental United States. All other particulars remain same as Public Notice dated Dec. 14, 1970.

#### RURAL RADIO SERVICE

- 3200-C1-P/L-71—RCA Alaska Communications, Inc. (New), C.P. and license for a new rural subscriber station to operate on frequencies 157.77 and 157.83 MHz, location: Sod Hut, Buckland, Alaska.
- 3201-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same as above, except, location: Post Office, Deering, Alaska.
- 3202-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except, location: Village Library, Elim, Alaska.
- 3203-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except, location: Olson and Son Store, Golovin, Alaska.
- 3204-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except, frequencies 157.95 and 158.01 MHz and location: Village Co-op Store, Kaltag, Alaska.
- 3205-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except, frequencies 157.77 and 157.83 MHz and location: Village Native Store, Koyuk, Alaska.
- 3206-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except, location: Village Community Hall, Selawik, Alaska.
- 3207-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except, frequencies 157.80 and 157.86 MHz and location: Village Native Store, Shishmaref, Alaska.
- 3208-C1-P/L-71—RCA Alaska Communications, Inc. (New), Same, except, frequencies 157.77 and 157.83 MHz and location: Shaktoolik, Alaska.

## RURAL RADIO SERVICE—continued

3209-C1-P/L-71—BCA Alaska Communications, Inc. (New). Same, except, frequencies 157.95 and 158.01 MHz and location: Village Community Store, Szebkins, Alaska.  
 3210-C1-P/L-71—BCA Alaska Communications, Inc. (New). Same, except, location: St. Michaels, Alaska.  
 3211-C1-P/L-71—BCA Alaska Communications, Inc. (New). Same, except, frequencies 157.80 and 157.86 MHz and location: Village Community Building, Wales, Alaska.  
 3212-C1-P/L-71—BCA Alaska Communications, Inc. (New). Same, except, frequencies 157.71 and 157.83 MHz and location: White Mountain Village Council, White Mountain, Alaska.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

3122-C1-P-71—Golden West Telephone Co. (KEMZ76), C.P. to add frequency 2178 MHz toward Hoopa, Calif., via passive reflector, a new point of communication and change alarm center location to 221 Main Street, Waverly, CA. Station location: 183 feet off Highway 289, Willow Creek, Calif.  
 3123-C1-P-71—Golden West Telephone Co. (New), C.P. for a new station to be located at Hoopa, Calif. Frequency: 2128 MHz toward Willow Creek, Calif., via passive reflector.  
 3149-C1-P-71—South Central Bell Telephone Co. (New), C.P. for a new station to be located 248 East Capitol Street, Jackson, MS. Frequency 10.715 MHz toward Jackson, Miss.  
 3186-C1-AL-(9)-71—Vian Telephone Co. Consent of assignment of license from Vian Telephone Co. Assignor: to: Oklahoma Allied Telephone Co. Assignee: Stations: KFP33, Foteau, Okla.; KFP34, Cavanal Mountain, Okla.; KFP35, Vian, Okla.  
 3192-C1-P-71—The Chesapeake & Potomac Telephone Co. of Virginia (KJR24), C.P. to change location of station to: Glasgow, 18th Street at Rockbridge Road, VA. Frequencies: 11.445 and 11.585 MHz toward Buchanan, Va., via passive reflector.  
 3194-C1-P-71—The Pacific Telephone & Telegraph Co. (KMA40), C.P. to add frequencies 11.265, 11.345, 11.505, and 11.585 MHz toward Mount Wilson, Calif., and delete frequencies 3730 and 3810 MHz toward Mount Wilson, Calif. Station location: 1429 North Gower Street, Los Angeles, CA.  
 3195-C1-P-71—The Pacific Telephone & Telegraph Co. (KMB88), C.P. to delete frequencies 3930 and 4130 MHz and add 10.715, 10.935, 11.015, and 11.175 MHz toward Los Angeles, Calif. Station location: Video Road, Mount Wilson, CA.  
 3218-C1-P-71—The Mountain States Telephone & Telegraph Co. (KFS31), C.P. to add frequencies 10.755 and 10.995 MHz toward Malad, Idaho, a new station via passive reflector. Station location: 1.2 miles east of McCammon, Idaho.  
 3219-C1-P-71—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new station to be located at approximately 7.5 miles north of Malad City, Idaho. Frequencies: 11.445 and 11.985 MHz toward McCammon, Idaho, and 11.405 and 11.945 MHz toward Malad City, Idaho, via passive reflector.  
 3220-C1-P-71—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new station to be located at 95 North Main Street, Malad City, Idaho. Frequencies: 10.715 and 10.955 MHz toward 0.4 mile east of Malad, Idaho, via passive reflector.

The following Renewal Applications received for licenses expiring Feb. 1, 1971. Term: Feb. 1, 1971 to Feb. 1, 1976.

## All American Cables &amp; Radio, Inc.

WW233—San Juan, P.R.  
 WW234—Cerro Marquessa, P.R.  
 WW235—Central Cayet, P.R.  
 WW236—Cerro Las Pimas, P.R.  
 Beaver State Telephone Co.  
 KPT32—Lakeview, Oreg.  
 KPT33—Bly, Oreg.  
 Cameron Telephone Co.  
 KKT30—Carl's, La.  
 KKT31—Southeast of Cameron, La.  
 KKT32—Hackerberry, La.  
 KLD39—Creole, La.  
 KLD30—Grand Chemler, La.  
 KLP33—Johnson Bayou, La.  
 KVT39—Southwest of Cameron, La.

## Central Telephone Co.

KPQ33—Las Vegas, Nev.  
 KPT34—Temporary—Fixed.  
 KP246—Mount Potosi, Nev.  
 KYN49—Northwest of Bullhead City, Ariz.  
 KYN50—West of Nelson, Nev.  
 KYN51—South-southwest of Tristate, Nev.  
 KYS33—Eldorado, Nev.  
 KP247—Glendale, Nev.  
 KP248—Blue Diamond, Nev.  
 WAN33—Northwest of Tristate, Nev.  
 WAN34—West of Bullhead City, Ariz.  
 WAN38—Las Vegas, Nev.  
 Citizens Utilities Co. of California.  
 KME51—Budding, Calif.  
 KMH74—West of Burney, Calif.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

LM County Telephone Co.  
 KPM60—Lebanon, Oreg.  
 KPM77—Alturas, Calif.  
 KPM81—Near Sodusville, Oreg.  
 KPM82—Sweet Home, Oreg.  
 Minnesota Telephone Co.  
 WAX31—Big Falls, Minn.  
 WAX32—East of International Falls, Minn.  
 WAX33—Southeast of Little Fork, Minn.  
 North Pittsburgh Telephone Co.  
 KGG33—Gibsonia, Pa.  
 KGG38—Saxenburg, Pa.  
 KGO21—Gibsonia, Pa.  
 Osceola Telephone Co.  
 KSJ50—Southeast of Osceola, Wis.  
 Pacific Power & Light Co.  
 KPE34—Hell Roaring Mountain, Mont.  
 KPE35—Kalspell, Mont.  
 KPG94—Kalspell, Mont.  
 KYS80—Polson, Mont.  
 United Telephone Co. of Indiana, Inc.  
 KSL90—Warsaw, Ind.  
 KSL91—Columbia City, Ind.  
 KSJ39—Monticello, Ind.  
 KSJ48—Syracuse, Ind.  
 KSJ55—Renesseiser, Ind.  
 KSJ61—Winamac, Ind.  
 KSL92—Knox, Ind.  
 KSL93—Plymouth, Ind.  
 KSL94—Flora, Ind.  
 United Telephone Co. of Pennsylvania.  
 WBP30—Chambersburg, Pa.  
 WBP31—Mount Newman, Pa.  
 Virginia Telephone & Telegraph Co.  
 KISS0—Blackstone, Va.  
 KISS1—Dundas, Va.  
 KISS2—South Hill, Va.  
 KJR25—Front Royal, Va.  
 KJR26—Luray, Va.  
 Wyoming Telephone Co., Inc.  
 KVH69—Pinedale, Wyo.  
 KVH60—Big Piney, Wyo.

## Major Amendments

2528-O1-P-71—Southwestern Bell Telephone Co. (KLB25), Major amendment: Change frequency 11.065 to read: 11.605 MHz on azimuth 174°59'. Location: 1.2 miles north of Abilene, Tex.  
 6488-O1-P-70—Southern Pacific Communication Co. (New), Major amendment: Change frequencies toward Cactus, Calif., to 6094.2 and 6093.8 MHz on azimuth 247°43'. Change frequencies toward Monument Peak to 5914.8 and 6132.8 MHz on azimuth 264°23'. Change frequency toward El Centro, Calif., to 6123.1 MHz on azimuth 125°57'. All other particulars same as reported on Public Notice dated Apr. 27, 1970.

6285-O1-P-71—South Central Bell Telephone Co. (KKA74), Major amendment: Change frequency from 3630 to 3730 MHz on azimuth 149°01'. Location: 2.5 miles southwest of McLauren, Miss. All other particulars same as reported on Public Notice dated Aug. 10, 1970.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

3140-C1-P-71—Microwave Service Co. of Florida, Inc. (New), C.P. for a new station 10 miles east of Immokalee, Fla., at latitude 25°25'06" N., longitude 81°15'08" W. Frequencies 11.255, 11.365, 11.525, 11.605, and 11.685 MHz on azimuth 277°15'.  
 3141-O1-P-71—Microwave Service Co. of Florida, Inc. (New), C.P. for a new station 4.1 miles south of Lehigh Acres, Fla., at latitude 26°33'12" N., longitude 81°39'18" W. Frequencies 11.395, 11.485, and 11.645 MHz on azimuth 239°15'.

3142-C1-P-71—Microwave Service Co. of Florida, Inc. (New), C.P. for a new station at Edgewater Drive West, Port Charlotte, Fla., at latitude 26°37'53" N., longitude 82°04'24" W. Frequencies 11,075 and 11,155 MHz on azimuth 269°40'.  
 3143-C1-P-71—Microwave Service Co. of Florida, Inc. (New), C.P. for a new station 0.5 miles southwest of Cubitus, Fla., at latitude 27°15'18" N., longitude 81°50'51" W. Frequencies 11,485 and 11,645 MHz on azimuth 39°30'.

(Informative: These applications were filed along with major amendments to applications to pending applications Files Nos. 6017-C1-P-70 through 6024-C1-P-70. Applicant proposes with both sets of applications to provide the television signals of stations WCIX-TV, WFLX-TV, WTWS-TV, WTUV, and WSMS-TV to Gulf Coast Television in Naples, Fla., to provide the signals of WCIX-TV, WSMS-TV and WFLX-TV to Southern Cablevision, Inc., at Fort Myers, Fla., and to South Florida Cable TV Corp. at North Fort Myers, Fla., and to provide the signals of WCIX-TV and WSMS-TV to Gulf Coast Teleception, Inc., at both Port Charlotte and North Port Charlotte, Fla., and also to Central Antenna Network, Inc., of Venice, Fla.)

3144-C1-P-71—American Television Relay (KOS63), C.P. to power split frequencies 6308.4 and 6333.1 MHz on azimuth 168°53' toward Douglas, Ariz. Location: Helio-graph Peak, 13.9 miles southwest of Safford, Ariz., at latitude 32°38'59" N., longitude 109°50'53" W.

(Informative: Applicant proposes to provide the television signals of stations KILA and KTTV of Los Angeles, Calif., to Douglas Television Co., Inc., in Douglas, Ariz.)

3145-C1-P-71—Western Tele-Communications, Inc. (KSQ40), C.P. to add frequency 6212.0 MHz via power split on azimuth 159°59' toward Deer Lodge, Mont. Location: Garnet Knoll, 22 miles north-northwest of Deer Lodge, Mont., at latitude 46°42'10" N., longitude 112°53'53" W.

(Informative: Applicant proposes to provide the signal of television Station KUED-TV of Salt Lake City, Utah, to Community Television of Montana, Inc., in Deer Lodge, Mont.)  
 3183-C1-MP-71—West Texas Microwave Co. (WAY37), Modification of C.P. to change frequencies from 11,265 and 11,945 MHz to 11,325 and 11,425 MHz on an azimuth of 42°15' toward Plainview, Tex. Location: 2 miles southeast of Cotton Center, Tex., at latitude 33°57'56" N., longitude 101°58'54" W.

#### Major Amendments

6017-C1-P-70—Microwave Service Co. of Florida, Inc. (New), Change frequencies to 10,715, 10,795, 10,875, 11,035, and 11,155 MHz on azimuth 293°45' toward a new point of communication at Immokalee, Fla. Delete old point of communication.

6018-C1-P-70—Microwave Service Co. of Florida, Inc. (New), Change location of station to 1.6 miles northwest of Immokalee, Fla., at latitude 26°28'09" N., longitude 81°26'33" W. Frequencies 10,795, 10,955, and 11,115 on azimuth 301°30' and frequencies 10,715, 10,795, 10,955, 11,035, and 11,115 MHz on azimuth 319°15'. Both points of communication have been changed.

6019-C1-P-70—Microwave Service Co. of Florida, Inc. (New), Change location of station to 13.3 miles southwest of Immokalee, Fla., at latitude 26°17'09" N., longitude 81°35'06" W. Frequencies 11,245, 11,325, 11,405, 11,565, and 11,645 MHz on azimuth 203°30'. Point of communication changed.

6020-C1-P-70—Microwave Service Co. of Florida, Inc. (New), Change frequencies to 11,035, 11,155, and 10,895 MHz on azimuth 330°00' toward North Fort Myers and Accline, Fla.  
 6021-C1-P-70—Microwave Service Co. of Florida, Inc. (KJG89), Change frequencies to 11,035 and 11,155 MHz on azimuth 0°47'. Add frequencies 11,035 and 11,155 MHz on azimuth 325°00' toward a new point of communication at Port Charlotte, Fla.

6022-C1-P-70—Microwave Service Co. of Florida, Inc. (KJG38), Delete proposed points of communication and add frequencies 10,955 and 11,115 MHz on azimuth 23°00' toward new point of communication at Cubitus, Fla.

6023-C1-P-70—Microwave Service Co. of Florida, Inc. (KJG37), Delete proposed points of communication and add frequencies 11,485 and 11,645 MHz toward new point of communication in Venice, Fla. Change location of station to 0.8 mile north of U.S. 41 at North Port Charlotte, Fla., at latitude 27°03'23" N., longitude 82°15'18" W.

6024-C1-P-70—Microwave Service Co. of Florida, Inc. (New), Delete proposed frequencies and add frequencies 11,035 and 11,155 MHz on azimuth 55°30' toward Sebring, Fla. Change location to 5.7 miles east of Buchanan, Fla., at latitude 27°24'45" N., longitude 81°42'09" W.

(Informative: See informative note for applications for four new stations filed simultaneously herewith, 3140 through 3143-C1-P-71.)

830-C1-P-71—United Video, Inc. (New), Application amended to change frequencies to 10,755, 10,895, 11,155, and 10,915 MHz toward both Moline, Ill., and Davenport, Iowa. Station location: 3.1 miles east-northeast of Oaco, Ill. See Public Notice dated Aug. 24, 1970.

2170-C1-P-71—American Television Relay, Inc. (New), Application amended to change frequency to 3990 MHz toward Final Peak, Ariz. Station location: 1103 North Central Avenue, Phoenix, AZ. See Public Notice dated Oct. 26, and Nov. 16, 1970.

5756-C1-P-70—United Video, Inc. (New), Change location of station to 0.2 mile northeast of Mount Pleasant, Iowa, at latitude 40°58'19" N., longitude 91°31'57" W. Frequencies 6271.4 and 6330.7 MHz on azimuth 138°42'. Frequencies 6301.0 and 6390.0 MHz on azimuth 279°28'.

5757-C1-P-70—United Video, Inc. (New), Change location of station to 2 miles northeast of Fairfield, Iowa, at latitude 41°01'15" N., longitude 91°55'39" W. Frequencies 6019.3 and 6078.6 MHz on azimuth 99°12'. Frequencies 5989.7 and 6049.0 MHz on azimuth 262°20'.

5758-C1-P-70—United Video, Inc. (New), Change location of station to 1.5 miles south of Ottumwa, Iowa, at latitude 40°58'09" N., longitude 92°25'15" W. Frequencies 6271.4 and 6330.7 MHz on azimuth 82°00'. Frequencies 6301.0 and 6390.0 MHz on azimuth 337°25'.

5759-C1-P-70—United Video, Inc. (New), Change azimuth for frequencies 5980.0 and 6108.3 MHz to read: 157°15'. Location: 1 mile northwest of Lacey, Iowa. All other particulars same as reported in Public Notice dated Apr. 13, 1970.

[F.R. Doc. 70-17354; Filed, Dec. 23, 1970; 8:49 a.m.]

### STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on January 29, 1971, the following standard broadcast application will be considered as ready and available for processing:

BP-18918 KBYR, Anchorage, Alaska.  
 Northern Television, Inc.  
 Has: 1270 kc, 1 kw, U.  
 Req: 700 kc, 500 w, 1 kw—LS, U.

Pursuant to §§ 1.227(b) (1) and 1.591 (b) of the Commission's rules, an application, in order to be considered with this application or with any other application on file by the close of business January 28, 1971, which involves a conflict necessitating a hearing with this application, must be substantially com-

plete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast application pursuant to section 309(d) (1) of the Communications Act of 1934, as amended, is directed to § 1.580 (1) of the Commission's rules for provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: December 18, 1970.

Released: December 21, 1970.

FEDERAL COMMUNICATIONS  
 COMMISSION.

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 70-17353; Filed, Dec. 23, 1970; 8:49 a.m.]

[Docket No. 18294; FCC 70-1340]

## WORLD ADMINISTRATIVE RADIO CONFERENCE FOR SPACE TELE- COMMUNICATIONS

### Report and Order Terminating Proceeding

In the matter of an inquiry relating to preparation for a World Administrative Radio Conference of the International Telecommunication Union on matters pertaining to the radio astronomy and space services.

1. On August 12, 1970, the Commission adopted its Seventh Notice of Inquiry (FCC 70-879) in the above-captioned proceeding, calling for comments and reply comments on or before September 23, and October 5, 1970, respectively. Attached to the seventh notice was a document entitled "Draft Proposals of the United States of America for the World Administrative Radio Conference for Space Telecommunications—Geneva, 1971." The latter document was transmitted by the Department of State through its diplomatic posts to the telecommunications authorities of approximately 125 member countries of the ITU in order to elicit their reactions and comments with respect to those Draft Proposals.

2. On October 1, 1970, in response to numerous requests throughout these proceedings, the Department of State convened a meeting of interested parties from Government and Industry as yet another forum in which the final preparatory work for the Space WARC could proceed.

3. It is the purpose of this report and order to deal with the comments filed in response to the seventh notice; to take into account discussions within the Government/Industry group convened by State, subsequent ad hoc discussions with various segments of industry, and the comments from other administrations with respect to the Draft Proposals; to propose necessary changes to the Draft Proposals; to terminate the proceedings in this docket; and to present a new, recapitulative, superseding document entitled "Proposals of the United States of America for the World Administrative Radio Conference for Space Telecommunications—Geneva, 1971". This last named document, like its predecessors, represents the combined thinking of the Commission and the Executive Branch of the Federal Government on the subject. The Commission and the Office of Telecommunications Policy (OTP) have recommended to the Department of State that the document be forwarded to the Secretary General of the ITU as the formal proposals of the U.S.A. to the Space WARC.

4. Comments in response to the Commission's Seventh Notice of Inquiry and the attached Draft Proposals were filed by the following:

Senator Mike Gravel, Alaska.  
Senator Ted Stevens, Alaska.  
Congressman Bingham, New York.  
Congressman Moorhead, Pennsylvania.

Secretary Richardson, Department of Health, Education and Welfare.  
Governor Rampton, Utah.  
Archdiocese of San Francisco, Department of Education.  
Catholic Schools Diocese of Brooklyn.  
Corporation for Public Broadcasting (CPB).  
Department of Health, Education, and Welfare (DHEW).  
Federation of Rocky Mountain States, Inc.  
Institute for Communication Research, Stanford University.  
Joint Council on Educational Telecommunications (JCET).  
Lloyd P. Morris.  
Pennsylvania Public Television Network Commission.  
Dr. J. W. Powell III.  
Rocky Mountain Corporation for Public Broadcasting.  
School of Engineering, Stanford University.  
Aeronautical Radio, Inc. and Air Transport Association of America (ARINC/ATA).  
American Telephone & Telegraph Co. (A.T. & T.).  
Communications Satellite Corp. (Comsat).  
Satellite Telecommunications Subdivision, Industrial Electronics Division, Electronics Industries Association (EIA).  
Microwave Communications, Inc. (MCI).  
National Academy of Sciences (NAS).  
Radio Technical Commission for Marine Services (RTCM).

5. Reply comments directed at the above were filed by A.T. & T., ARINC/ATA, Comsat, CBS TV Network Affiliates Association, and Association of Maximum Service Telecasters, Inc. (AMST).

6. Additionally, on October 14 and 15, 1970, late comments were filed with the Secretary, respectively, by Dr. R. T. Jones, University of Pittsburgh Libraries, and General Electric Co. (GE).

7. The first eighteen listed in paragraph 4 commented basically with respect to the use of satellites for educational and public service needs. With but one exception, they were unanimous in urging reconsideration of the Draft Proposals with respect to the ITFS band, 2500-2690 MHz, to afford better treatment for educational needs. The Draft Proposals for this band suggested that the portion 2500-2550 MHz be shared by terrestrial ITFS and the communication-satellite service (limited to remote areas) and that the portion 2550-2690 MHz be shared by terrestrial ITFS and the earth sciences satellite service. Although educational interests had requested accommodation in this band for space applications, their needs were not clearly defined and the power flux densities contemplated to permit the use of low cost earth stations would not have been compatible with the sensitive receiving earth stations planned for use in the earth sciences satellite service.

8. In recent weeks, following a re-evaluation of the probable future bandwidth requirements of an operational earth sciences satellite system, it was concluded that the band 2550-2690 MHz would be inadequate to meet those needs. Accordingly, the earth sciences satellite service proposal has been deleted at 2550-2690 MHz and new proposals for that service have been inserted at 8025-8400 MHz and 21.2-22.0 GHz, for use on a shared basis with existing services.

This action removed the principal bar to further consideration of the desires of educational interests in the band 2500-2690 MHz. While further details were filed in response to the seventh notice, it is still difficult to judge how much of the band 2500-2690 MHz might be required ultimately to accommodate systems developed for educational and public service needs. However, despite the claims of some to the contrary, the uses suggested all fall within the broad definition of the communication-satellite service. Accordingly, the communication-satellite service is now proposed in the Table for all three ITU Regions, on a shared basis with existing allocated services. A new footnote, No. 363A, proposes that sharing criteria for this service be subject to agreement among the administrations concerned and affected rather than necessarily conforming to specific criteria in the Radio Regulations. The "reason" associated with the proposal makes it clear that it is intended to accommodate the distribution of educational and public service material and for demand-assignment-multiple-access systems in remote areas. These changes were announced in the Commission's Public Notice (56752) of October 22, 1970, and are shown, respectively, on pages 79, 83, and 86 of the attached proposals.

9. One of the primary objectives of the attached proposals is to maintain flexibility and to keep our options open. As a result, a number of significant changes, in addition to those discussed in paragraph 8 above, are reflected in those proposals. At the same time, in the interest of maintaining flexibility, it has been necessary to reject a number of specific proposals for change in the earlier proposals. The application of this philosophy will be apparent in the following discussions.

10. *Other education-oriented proposals.* CPB, DHEW, and JCET comments with respect to aural broadcasting-satellite service in the band 88-100 MHz can perhaps best be summarized as suggesting that the presently proposed footnote No. 268A be expanded upward in Regions 2 and 3, where 100-108 MHz is also allocated to the broadcasting service. This view was supported by EIA. Since it is conceivable that the WARC might agree to such a footnote on a regional basis, but not on a worldwide basis, we find these arguments to be persuasive. Accordingly, as will be seen on page 61 of the proposals, footnote No. 268A has been modified to make it applicable to all bands between 87.5 and 108 MHz in all regions where there is now an allocation to the broadcasting service.

11. DHEW and JCET argued also that there should be exclusive channels at 11.7-12.2 GHz so that a high power direct broadcasting satellite TV system may eventually be developed. CPB expressed the view that communication satellites will so restrict the use of the band as to nullify its potential for direct distribution or community broadcast

use. EIA objected to the deletion of an earlier-proposed footnote limiting the communication-satellite service to the distribution of television program material. Still others have urged that the band be allocated to the broadcasting-satellite service and the communication-satellite service (TV distribution only) on a primary basis and to the mobile service and communication-satellite service (for other than TV distribution) on a secondary basis.

12. Again, in the interest of flexibility, the above proposals with respect to the frequency band 11.7-12.2 GHz have not been adopted. If the WARC adopts the U.S.A. proposals, domestic rule-making proceedings will be necessary prior to the implementation of the new International Table. That would be the appropriate time to determine whether to implement domestically the band as allocated; whether only one service would be implemented; or whether the band should be divided equally between the two space services or by some other ratio. In other words, administrative procedures are available to determine how best to use the band in the public interest when actual needs are better defined. Proposals with respect to this band are found on page 84 of the attached proposals.

13. *Comments of broadcasting interests.* In this instance, comments were limited to "replies" to filings by others; to discussions in the State-sponsored Government/Industry meeting and to subsequent ad hoc discussions with representatives of the FCC and OTP. Specifically, AMST urged rejection of RTCM's request for spectrum space between 118 and 800 MHz insofar as the use of VHF or UHF-TV channels might be involved. This point is moot inasmuch as such channels are not involved for maritime mobile use in the attached proposals.

14. CBS Television Network Affiliates Association filed reply comments in which they opposed deletion of 6625-7125 MHz in favor of "11.7-11.95 GHz" because of the economic disadvantage imposed upon TV broadcasters wishing to own their own "receive-only" earth stations in a domestic system dedicated to TV program material distribution via satellite. In subsequent discussions, network representatives expressed a willingness to accept a power flux density limitation of  $-160 \text{ dBW/m}^2/4 \text{ kHz}$  for all angles of arrival less than or equal to  $50^\circ$ , in the hope of overcoming the objections of other administrations relative to accommodating space systems in the band 6625-7125 MHz. In Region 1, administrations generally are known to be opposed to the use of space systems in this band—as are at least two administrations in Region 3. In Region 2, we are aware that at least one administration is opposed to 6625-7125 MHz as a down-band even with the more restrictive power flux density limitation. Nonetheless, as will be seen on page 82, it is proposed that the band be allocated, in Region 2, to the communication-satellite service (space-to-earth) on a shared

basis—limited to the reduced power flux density mentioned above.

15. *Space techniques in the amateur service.* EIA filed the only comment on this subject. EIA considers the proposals in the Draft Proposals associated with the Seventh Notice to be a step backward when compared with earlier proposals for the amateur service. EIA noted that there are no proposals for this service above 24.5 GHz, whereas existing U.S.A. domestic allocations now provide for the amateur service between 40 and 88 GHz and above 90 GHz. EIA, therefore, is of the opinion that there should be international proposals above 40 GHz for the amateur use of space techniques.

16. With respect to EIA's proposals and comments, it should be noted that they stand alone. Although the various national amateur groups could have offered support through reply comments, they did not do so. As to their comment that the current proposals for the amateur service are a step backward, it should be noted that the proposals have gone through a number of changes in an effort to find a formula that other administrations and our own amateurs can support. In our view, the current proposals come closest to meeting that objective. The amateur service proposals attached are as previously indicated in the Draft Proposals and cover all frequency bands from 7 MHz through 24.5 GHz allocated to the amateur service.

17. *Space techniques in the mobile service.* Comments relative to this subject were filed by RTCM on behalf of the maritime mobile service, by ARINC/ATA on behalf of the aeronautical mobile service and, peripherally, by AMST, EIA, and Comsat. EIA proposed that the definitions for the aeronautical and maritime mobile services be modified to include the sentence: "The service may utilize transmitters on the earth, or on ships, aircraft and space vehicles as appropriate to the needs of the service." This proposal was opposed by Comsat and supported by no one. Since it would remove administrative control over precisely what aeronautical or maritime mobile bands could be used for the application of space techniques, it has not been adopted.

18. RTCM stated the Draft Proposals will not adequately meet the operational needs of the maritime mobile service. On the basis of a study recently completed, they foresee a need for 2 suitably separated bands, each 4 MHz in width, between 118 and 800 MHz, as well as access to the band 1535-1660 MHz. The 2 bands of 4 MHz each would be used to accommodate a total of 61 channels for 100 w.p.m. radioprinters, 26 voice channels and possibly one 25-kHz channel in each transmission direction for each of three oceans for radiodetermination purposes. RTCM is not persuaded that the band 1535-1660 MHz offers a practical or economical solution to marine needs and reiterated its earlier requests for access to the aeronautical mobile band, 118-136 MHz. Nonetheless, they stated that the 1535-1660 MHz proposal is sound and should go forward—with some modifica-

tion. They felt that the 2.5 MHz of dedicated maritime mobile space therein was insufficient to meet their needs and that 30 to 50 percent of the now proposed 5 MHz of joint aeronautical/maritime space would be required. As noted earlier, AMST opposed the use of either VHF or UHF-TV channels to meet the requirements of the maritime mobile service as stated by RTCM. Also, as on earlier occasions, ARINC/ATA "vigorously opposed" RTCM's request to share the band 118-136 MHz. The FCC and OTP also see no practical way in which the two services could share 118-136 MHz and again have rejected the proposal.

19. RTCM stated further that: (1) There is need for common usage of some frequencies by ships and aircraft for safety purposes; (2) the maritime mobile service, when employing space techniques, cannot share frequencies with the land mobile, fixed or TV broadcasting services; and (3) therefore, VHF channels must be allocated on a clear channel basis. In their view, maritime mobile frequencies in Appendix 18 of the Radio Regulations cannot meet the need except perhaps for several 25-kHz channels ship-to-shore and shore-to-ship in each ocean area which could provide for distress alerting and search and rescue.

20. In subsequent meetings of Industry and Government representatives, a band-by-band examination was made between 118 and 800 MHz in an unsuccessful effort to find two bands of 4 MHz each which could be recommended for maritime mobile use, at the expense of the present users. Failing that, a search was undertaken to meet a "bare bones" minimum of 250 kHz up and 250 kHz down on an exclusive basis for the use of space techniques in the maritime mobile service. The first, as shown on pages 64, 65, and 66, proposes use of a portion of the VHF frequencies now available to the maritime mobile service. This proposal, if adopted by the WARC, will require the removal of existing U.S. land mobile systems using the frequencies in question. However, studies indicate that these systems are in geographical areas where serious congestion does not exist in the land mobile service and finding suitable replacement frequencies should present no serious problems. The second proposal, shown on pages 68 and 69, takes advantage of the currently existing 250 kHz guard-band at the high end of the aeronautical radionavigation service glide-path band, 328.6-335.4 MHz. That portion 335.15-335.4 MHz would be allocated to the maritime mobile service to be used exclusively as a down-band from satellite-borne stations to ship stations. The up-band from ships to the satellite-borne stations would be a matching 250 kHz band between 406 and 420 MHz, allocated exclusively for that purpose insofar as that service is concerned. The precise band is under study and will be specified later. The up and down links between coast stations and those same satellite-borne stations would be accommodated in other appropriate bands such as 1535-1660 MHz or in bands allocated to the communication-satellite service as

envisioned in the current definition of the latter service.

21. ARINC/ATA took the view that the Draft Proposals are not responsive to the needs of civil aviation and are contrary to national policy and stated that:

(a) Future flights will, in part, be above the major part of the earth's atmosphere but that such operations cannot be divorced from conventional aircraft operations and, therefore, the definitions of aeronautical mobile service and aeronautical station must be expanded to permit the necessary flexibility within the overall service;

(b) Footnote 273A, covering the aeronautical mobile band 117.975-136 MHz should be modified—to parallel that proposed in No. 287A for marine use—to provide flexibility in the use of space techniques by civil aviation (a view supported by Comsat);

(c) No power flux density limit should be set with respect to the band 117.975-136 MHz pending further CCIR study of the matter;

(d) They support generally the current proposals for the band 1535-1660 MHz but disagree with the reservation of two 5 MHz bands to be shared by aviation and maritime. They would also remove the "up" and "down" designations and consider footnotes 352A-352H as too limiting; and

(e) There should be a proposal for a primary allocation for the aeronautical mobile (R) service at 5000-5250 MHz and 15.4-15.7 GHz to be coequal with aeronautical radionavigation in conformity with ARINC/ATA proposals for 1537.5-1657.5 MHz and various bands between 40 and 260 GHz.

22. In a subsequent meeting of Industry and Government representatives, however, it was agreed that the comments of ARINC/ATA could be considered as withdrawn if favorable FCC/OTP actions were taken with respect to certain issues. These actions would include: (a) in consultation with the Department of State, the preparation of instructions to the U.S. Delegation with respect to various contingencies at the WARC; (b) the modification of certain footnotes in the series Nos. 352E-352J (as now shown on pages 73-74 of the attached document); (c) a change in the allocations for the band 105-130 GHz (as proposed by ICAO); and the change of sharing criteria now shown in No. 432A on page 95. With respect to the allocations in the band 1535-1660 MHz, any change at this point would be considered undesirable. Proposals for this band have undergone several changes and there is good international agreement on the current proposal—except that there are variations with respect to the amount to be allocated to the maritime mobile service. This matter can be resolved at the WARC itself.

23. *Comments relating to radio astronomy.* The sole comment on this subject was filed by the National Academy of Sciences (NAS), who requested that the band 110-125 GHz be included in Annex 2 of the Draft Resolution as an ad-

ditional radio astronomy band for observations on the far side of the moon. This request was triggered by the recent detection of two important spectral lines, CN at 113.492 GHz and CO at 115.271 GHz. This proposal has been adopted as shown on page 163 of the attached document.

24. *Comments relating to the communication-satellite service.* Comments apart from those dealing with the bands 2500-2690 MHz and 6625-7125 MHz, which were treated in paragraphs 7-8 and 14, respectively, were filed by A.T. & T., Comsat and, peripherally, by EIA and MCI. MCI filed merely to alert those engaged in the WARC preparatory work of its intention to file with the Commission, a petition for rule-making to institute a new service in the band 38.6-40 GHz for specialized common carrier local distribution systems. However, since no WARC proposals by the U.S.A. or other administrations of which we are aware deal with this band, the merits of the MCI proposal will not be treated herein. EIA suggested that No. 470Q, as proposed, be modified to delete the frequency band 11.7-12.2 GHz as one of the bands allocated to the communication-satellite service in which power flux density limits would be applicable. EIA is correct in this regard and No. 470Q has been changed accordingly (see page 99).

25. A.T. & T. opposed the use of footnote No. 412K in frequency bands above 40 GHz and requested a revision to the earlier proposed arrangement wherein specific fixed and mobile service allocations were shown in the table for the "412K" bands. This was opposed specifically by Comsat and we too see no merit in the proposal which, accordingly, has not been adopted. A.T. & T. also opposed use of Appendix 29 as shown on page 135 (et seq.) of the Draft Proposals on the grounds that it required further consideration by CCIR. This matter has been further studied by CCIR and the proposals have been modified accordingly.

26. A.T. & T. took exception also to the proposed Regulation No. 639ADA (page 109) that would grant an administration proposing to establish an earth station, the right to effect coordination with respect to part or all of a particular band. They argued that an administration with fixed or mobile stations would thus have no voice in the determination as to whether coordination should involve all or only a part of the band under consideration, and suggested the addition of a new Regulation as follows:

639AE Bis—An administration with which coordination is sought under No. 639ADA may require that coordination with a fixed station determined under No. 639AE (a) or (b) be effected in respect to part or all of the band under consideration in order to facilitate the future development of the fixed station.

Comsat, on the other hand, found the Draft Proposals on this point to be highly desirable in that they imposed minimum restrictions on either of the sharing services and, accordingly, specifically ob-

jected to the A.T. & T. proposal. We agree with the evaluation by Comsat and do not adopt A.T. & T.'s proposal.

27. The comments of Comsat with respect to the communication-satellite service were many and varied. They are summarized below, interspersed with our responses thereto:

(a) Comsat disagrees with the philosophy of going above 10 GHz for additional communication-satellite bands to the exclusion of permitting new promising techniques that could improve sharing possibilities in lower bands, such as:

Orthogonal polarization and satellite spot beams which will permit frequency reuse on the same satellite;  
Regional sharing;  
Reversal of satellite up and down frequencies; and  
Sharing between dissimilar services.

(b) Comsat feels it might be appropriate for the WARC to resolve that CCIR be requested to pursue studies in the above areas.

The comment in (a) implies that existing rules or regulations ban in some fashion, the applications suggested in the indented subparagraphs. This, of course, is not true except in the case of the reversal of satellite up and down frequencies. This last point has been examined within the U.S. CCIR structure and as discussed in the sixth notice (p. 15, par. 41) was rejected for administrative reasons in the 4 and 6 GHz bands "because it would preclude the collocation of earth stations using the bands in the opposite directions and would result in the establishment of a number of additional protected areas in the heavily used 4 and 6 GHz bands from which common carrier terrestrial systems would necessarily be excluded to prevent mutual harmful interference." Admittedly, Comsat's suggestion is directed to adjacent countries using oppositely directed systems. However, since the U.S.A. has no intention of implementing such a plan in these bands, we see no merit in advancing an international proposal on the point. Regional sharing should be resorted to only when a worldwide allocation cannot be achieved and it may well be that one or more of our current worldwide proposals will end up in that posture following the WARC. In the meantime, however, it should be noted that our current proposal for the band 6625-7125 MHz (see page 82) is for Region 2 only, as a result of adverse comments received from countries in Regions 1 and 3. As for sharing between dissimilar space services, our proposals cite a number of instances in which this would be the case, e.g., 8025-8400 MHz (page 83) wherein Government fixed and mobile services would be sharing with the communication-satellite, meteorological-satellite and earth sciences satellite services. Comsat has suggested sharing between the communication-satellite and space research services in opposite directions in bands now allocated or proposed for the latter service. However, below 10 GHz, there are but four bands allocated or proposed for space research which are of sufficient width (two are 100 MHz wide, two are 95

MHz wide) to provide meaningful relief to the communication-satellite service. Each of the four, however, is now allocated to Government terrestrial services and it is considered both desirable and necessary in the public interest to retain them as exclusive Government bands.

With respect to (b), there are well established procedures for the introduction of questions and study programs into CCIR and we see no need for a WARC Resolution on the issues suggested.

(c) Comsat stated that the need for exclusive communication-satellite service allocations above 17 GHz has not been met adequately—there is an imbalance between the exclusive allocations for fixed and mobile services as opposed to the communication-satellite service in favor of the former, which should be equalized.

Referring to pages 86 and 87 one will see that 19.7-21.2 GHz (1.5 GHz) is proposed exclusively for the communication-satellite service, whereas 22-23.6 GHz (1.6 GHz) is proposed for the exclusive use of the fixed and mobile services. Since the latter is expected ultimately to be divided among Government on the one hand and both non-Government common carrier and private systems on the other, any imbalance is insignificant and no further change is proposed in the attached document.

(d) Comsat objects to the designation of 5925-6425 MHz as an up-band to feed broadcasting satellites on the grounds that it would work to the detriment of the 4/6 GHz communication-satellite service and that the 13 GHz band would be adequate for the purpose.

This we find to be conjectural in the absence of any real appreciation of what the total requirements might be for up-links to broadcasting satellites and the proposal is retained unchanged in the attached document (see page 81).

(e) Comsat suggests that the use of 6625-7125 MHz, in Region 2, in lieu of 5925-6425 MHz, as an up-link to broadcasting satellites may prove acceptable to other administrations.

Comsat's proposal (e) would be incompatible with the proposed use of 6625-7125 MHz as a down-band as set forth on page 82 and, therefore, has not been adopted.

(f) Comsat expressed concern that the proposals for 11-13 GHz might impair the ability to provide a communication-satellite service therein. While 11.7-12.2 GHz would provide easy access to major cities, the proposed up-band at 12.75-13.25 GHz would not because of existing fixed operations. It is proposed by Comsat that the communication-satellite service be given primary status in the latter band and that the fixed and mobile services be relegated to secondary status.

The problem described is perhaps peculiar to the U.S.A. and is susceptible to domestic treatment in a manner consistent with the national interest. If the WARC adopts the U.S.A. proposals in this band, the relative priorities of the sharing services could be established in an ensuing, domestic rule-making proceeding. It would be inappropriate to

prejudge that issue at this point by complying with Comsat's proposal.

(g) Comsat expressed concern about the overlap in the definitions of the communication-satellite and broadcasting satellite services, particularly in the 11.7-12.2 GHz band.

This, too, is susceptible to resolution on a domestic, administrative basis. The Commission's rules are written, in part, in terms of permissible communications and no difficulty is foreseen in establishing that one licensed in the communication-satellite service is limited to communication with earth stations in that service, or that one licensed in the broadcasting-satellite service is limited to performing in that service.

(h) Comsat agreed generally with the proposals for coordination and registration procedure but offered a number of suggested changes—both editorial and substantive—with respect to Regulations No. 639A(1) through No. 639AT.

Most of the editorial suggestions have been adopted and are reflected in the attached document. Discussion here is limited to points of substance. Comsat noted that No. 639A(1)(d), as written, specifies that information can be filed with the ITU by an administration, or "an administration acting on behalf of a group of administrations" and suggested that the latter expression be expanded to include international organizations, such as INTELSAT—by inserting after "administrations" the phrase: " \* \* \* or by international organizations which own and operate systems in the space service". This proposal has not been adopted. Such a proposal would be inconsistent with tradition and, more importantly, inconsistent with the ITU Convention (Montreux, 1965). The latter can be changed only by a Plenipotentiary Conference of the ITU—which will not be convened prior to 1973—and the Radio Regulations must be consistent with the Convention. The International Frequency Registration Board (IFRB) of the ITU, with which assignments by administrations are registered, will deal only with administrations. Inquiries, interference problems, etc., directed to the IFRB by entities other than administrations are invariably referred to the administrations having jurisdiction in the matter. If the precedent were set in accommodating INTELSAT, it is reasonable to assume that a multiplicity of other international organizations would seek similar accommodation. Since Comsat was silent with respect to the reasoning behind its proposal, since it would be contrary to established procedures, and since we see no advantage to such an arrangement, the proposal has not been adopted.

28. Although comments filed in response to the seventh notice were not directed to the issue, it was suggested in subsequent discussions that the frequency band 10.7-11.7 GHz also be allocated to the communication-satellite service on a shared basis with presently allocated terrestrial services. This sug-

gestion has not been adopted, however. As pointed out in the Sixth Notice (page 14, para. 38), " \* \* \* within the U.S., 10.7-11.7 GHz has become the band normally used to pass traffic to and from our several earth stations. This use would preclude the use of the band in the communication-satellite service at all of our several earth stations." With the development of domestic satellite systems, it appears inevitable that the number of earth stations will increase by orders of magnitude. Many of these will doubtless need to rely upon terrestrial microwave for access and, for these reasons, it appears logical to preserve the band, free of space systems, for terrestrial applications.

29. *Additional allocation matters of substance.* Since early in this proceeding, the matter of data collection in the vicinity of 400 MHz has been under study. We now have a proposal in this regard for the collection of meteorological data and, to the degree that it can be accommodated compatibly, additional data relating to other disciplines encompassed by the earth sciences satellite service. Specifically, it is proposed that the frequency band 401-403 MHz be allocated on a shared basis as an up-band (see pages 68-69), in the meteorological-satellite service and that the existing allocation at 460-470 MHz be used as a downband (see page 70) in that same service. In each case, the meteorological-satellite service would be secondary to the other services in the respective bands. In the case of 460-470 MHz, for example, studies indicate that the power flux density at the surface of the earth for a viable service need not exceed -152 dBW/m<sup>2</sup>/4 kHz for all angles of arrival and that figure will be set as an upper limit of permissible signal. This should preclude harmful interference to terrestrial land mobile systems operating in that band.

30. *Administrative matters.* This proceeding has served as the vehicle by which a major portion of the attached proposals<sup>1</sup> were developed and refined to their present state. The proposals attached hereto are expected to constitute the formal and final proposals of the U.S.A. for consideration by the Space WARC. However, they are not immutable or irrevocable if, between now and the convening of the WARC good cause for change can be shown.

31. This report and order is issued pursuant to Section 403 of the Communications Act of 1934, as amended. *It is ordered*, Noting the proviso in paragraph 30 above, that the proceedings in this docket are hereby terminated.

Adopted: December 18, 1970.

Released: December 21, 1970.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 70-17352; Filed, Dec. 23, 1970;  
8:49 a.m.]

<sup>1</sup> Filed as part of the original document.

<sup>2</sup> Commissioner Johnson absent.

**FEDERAL MARITIME COMMISSION****PACIFIC FAR EAST LINE, INC. AND  
OCEANIC STEAMSHIP CO.****Notice of Agreement Filed**

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

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

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

**Notice of agreement filed by:**

Mr. Leo C. Ross, President, Pacific Far East Line, Inc., 141 Battery Street, San Francisco, CA 94111.

Agreement No. 9903 between the captioned lines provided for Pacific Far East Line's (PFEL) purchase of the four Oceanic Steamship Co.'s (Oceanic) vessels and their equipment presently engaged in the North American Pacific Coast-Australasian trades. Agreement No. 9903-1 here modifies the basic agreement by increasing the sales prices of the SS *Mariposa* and the SS *Monterey* according to the formula set forth in the modification; and would permit PFEL to reimburse Oceanic the sum of \$600,000 for certain design and engineering expenses of the two ships now under construction.

Dated: December 22, 1970.

By order of the Federal Maritime Commission,

FRANCIS C. HURNEY,  
Secretary.

[F.R. Doc. 70-17417; Filed, Dec. 23, 1970;  
8:51 a.m.]

**FEDERAL POWER COMMISSION**

[Project No. 482]

**ARIZONA****Order Vacating Withdrawal**

DECEMBER 14, 1970.

Application has been filed by the Bureau of Land Management, Department of the Interior, requesting that the following land withdrawal for transmission line Project No. 482 be partially vacated to enable the grant of a highway right-of-way to the Yuma County Highway Department under the provisions of section 2477 of the Revised Statutes (43 U.S.C. 932):

**GILA AND SALT RIVER MERIDIAN, ARIZONA**

T. 9 S., R. 19 W.,  
Secs. 3, 4, 5, 6, 7.  
T. 9 S., R. 20 W.,  
Secs. 1, 2, 3, 4, 7, 8, 9, 10, 11, 12.  
T. 9 S., R. 21 W.,  
Secs. 7, 8, 9, 10, 11, 12.  
T. 9 S., R. 22 W.,  
Secs. 7, 8, 10, 11, 12.  
T. 8 S., R. 23 W.,  
Sec. 35.  
T. 9 S., R. 23 W.,  
Secs. 2, 11, 12.

Portions (totaling about 151 acres) of the above described lands were withdrawn pursuant to the filing by the Gila Valley Power District (District) on February 18, 1924, of an application for license, and on May 20, 1925, of an application for amendment of license for Project No. 482. Notices of land withdrawal for the project were sent to the General Land Office (now Bureau of Land Management) by Commission letters dated February 27, 1924, and June 15, 1925.

Project No. 482 consisted of a 33-kv. wood pole transmission line which extended from a point near Yuma, Ariz., to the town of Wellton, Ariz., a distance of about 30 miles. The license for Project No. 482 was issued September 2, 1924, to the District for a period of 50 years therefrom and was subsequently amended August 21, 1925, December 16, 1942, and November 24, 1944. The amendment of November 24, 1944, provided for the exclusion from the license of a section of the transmission line which the District sold to the California Electric Power Co. In its order of June 21, 1944, authorizing this amendment, the Commission found that the excluded section was not a primary line as defined in section 3(11) of the Federal Power Act. The excluded section of line is now owned by the Arizona Public Service Co. and is operated at 12 kv. under authority of a right-of-way issued by the Bureau of Land Management.

By letter dated January 29, 1954, Wellton-Mohawk Irrigation and Drainage District (Wellton), successor to the District, because of the dissolution of the latter, made application for surrender of the license for Project No. 482. By order issued March 12, 1954, the Commission accepted the surrender of the license for the project effective as of January 1, 1953, upon finding that the transmission line was not a primary line within the

meaning of section 3(11) of the Federal Power Act. The line was abandoned May 30, 1952, and was removed and the Federal lands which were occupied by the line were restored to a condition satisfactory to the Department of the Interior.

In a letter to Wellton, dated October 19, 1953, the Commission stated that in considering the application for surrender of license " \* \* \* the Commission will require that the abandoned line be removed and the lands of the United States restored to a condition satisfactory to the Department of the Interior."

The Commission finds: The withdrawal for Project No. 482 serves no useful purpose and should be vacated in its entirety.

The Commission orders: The withdrawal of the subject land pursuant to the applications for Project No. 482 is hereby vacated.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-17339; Filed, Dec. 23, 1970;  
8:48 a.m.]

[Docket No. AR61-1, etc.]

**AREA RATE PROCEEDING (PERMIAN  
BASIN SHOW CAUSE)****Notice of Interim Extension of Time**

DECEMBER 15, 1970.

A number of producers have filed motions requesting the Commission to reconsider the November 2, 1970, letter orders in which the Commission denied a previous motion filed by the producers on September 14, 1970, requesting, inter alia, that refunds be deferred pending formulation of a Commission policy on refunds. Movants request that a conference be convened concerning refunds in those proceedings and that the time within which to make refunds be extended.

In order to provide time for the Commission to consider the motions filed herein, notice is hereby given that the time is extended to and including January 7, 1971, within which refund reports shall be filed in the above-designated proceedings, pursuant to the November 2, 1970, letter orders.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-17380; Filed, Dec. 23, 1970;  
8:50 a.m.]

[Docket No. RP71-18 etc.]

**COLUMBIA GULF TRANSMISSION CO.  
ET AL.****Order Granting Permission To Use  
Liberalized Depreciation With Normalization,  
Subject to Hearing and Further Order,  
and Consolidating Proceedings**

DECEMBER 15, 1970.

Columbia Gulf Transmission Co.,  
Dockets Nos. RP71-18, RP71-33; United

Fuel Gas Co., Dockets Nos. RP71-19, RP71-34; Atlantic Seaboard Corp., Dockets Nos. RP71-20, RP71-37; Kentucky Gas Transmission Corp., Dockets Nos. RP71-21, RP71-35; The Ohio Fuel Gas Co., Dockets Nos. RP71-22, RP71-36; Cumberland and Allegheny Gas Co., Dockets Nos. RP71-23, RP71-39; The Manufacturers Light and Heat Co., Dockets Nos. RP71-24, RP71-38; Home Gas Co., Dockets Nos. RP71-25, RP71-40.

The Applicants in the above-captioned proceedings, each of which is an affiliate of the Columbia Gas System, Inc., on November 6, 1970, filed separate petitions requesting authorization to use liberalized depreciation with normalization for accounting and rate purposes on all utility property. Applicants request that the authorization be effective as of the date their proposed increased rates, which were filed October 1, 1970, may be placed in effect in the proceedings in Dockets Nos. RP71-18 through RP71-25, respectively.

Each of the applicants, with the exception of Cumberland and Allegheny Gas Co. (C & A), states that it began the use of flow-through accounting as a result of a rate reduction which the Commission approved by certain orders.<sup>1</sup> The eight applicants state that they have exercised their election to use the normalized method of accounting for rate and tax purposes with respect to their post-1969 expansion property pursuant to the provisions of the Tax Reform Act of 1969 and the Commission's Order No. 404, issued May 15, 1970, in Docket No. R-387. The applicants further state that the Commission's rationale underlying the decision in Texas Gas Transmission Corporation, Opinion No. 578, issued June 3, 1970, in Docket No. RP69-41 et al., is equally applicable to them.<sup>2</sup>

The proposed increased rates filed by the eight applicants in Dockets Nos. RP71-18 through RP71-25, respectively, according to the statements filed therewith, reflect the change in accounting and rate making proposed by the petitions in Dockets Nos. RP71-33 through RP71-40, respectively. The proposed increased rates were suspended until April 16, 1971, by Commission order issued November 13, 1970. Copies of the petitions have been served upon all customers and interested State commissions and the Commission has published notice of the filing of the eight petitions. No protests or comments relating to the petitions have been received. However, the proposed increased rates, based in part upon such normalization, have been suspended as stated above.

<sup>1</sup> The seven applicants (excluding C & A) commenced flow-through of liberalized depreciation as of Jan. 1, 1966, with respect to all eligible facilities added to utility plant commencing with 1964. 37 FPC 244, 38 FPC 875, 39 FPC 79, 40 FPC 1008, 1013. C & A's initial rates have remained unchanged since 1960. See certificate order, 24 FPC 254 (see also unreported order, accepting tariff for filing in compliance with certificate order, issued Dec. 30, 1960, in Docket No. G-17226).  
<sup>2</sup> Opinion No. 578 is subject to court review in Memphis Light, Gas and Water Division v. P.P.C., — F. 2d —, (CADC No. 24518).

Upon review of the petitions, it appears that the requests for authorization to use liberalized depreciation with normalization for accounting and ratemaking purposes on all eligible utility property should be granted commencing on April 16, 1971, or on such later date as the increased rates proposed in Dockets Nos. RP71-18 through RP71-25 may be placed in effect, subject to modification and further order of the Commission following determination of the appropriate ratemaking treatment to be accorded the pertinent cost of service components in the respective rate proceedings. Accordingly, it is appropriate that the proceeding involving the petition of each Applicant herein filed on November 6, 1970, be consolidated for purposes of hearing and decision with the respective rate proceeding of such applicant.

The Commission orders:

(A) The eight applicants are each authorized to use liberalized depreciation with normalization for accounting and ratemaking purposes on all eligible utility property commencing on April 16, 1971, or on such later date as the increased rates proposed in Dockets Nos. RP71-18 through RP71-25, respectively, may be placed in effect, subject to modification and further order of the Commission following determination of the appropriate ratemaking treatment to be accorded the pertinent cost of service component in the respective rate proceedings.

(B) The proceeding involving the petition each applicant filed on November 6, 1970, in Dockets Nos. RP71-33 through RP71-40 is consolidated for purposes of hearing and decision with the respective rate proceeding of such applicant in Dockets Nos. RP71-18 through RP71-25.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-17379; Filed, Dec. 23, 1970;  
8:50 a.m.]

## FEDERAL RESERVE SYSTEM

### FIRST UNION, INC.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby give that application has been made, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by First Union, Inc., which is a bank holding company located in St. Louis, Mo., for prior approval by the Board of Governors of the acquisition by Applicant of 80 percent or more of the voting shares of Bank of Springfield, Springfield, Mo.

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

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

(2) Any other proposed acquisition or merger or consolidation under section 3

whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

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

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

By order of the Board of Governors,  
December 18, 1970.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-17336; Filed, Dec. 23, 1970;  
8:48 a.m.]

### FIRST NATIONAL CHARTER CORP.

#### Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of First National Charter Corp., Kansas City, Mo., for approval of acquisition of 80 percent or more of the voting shares of Webster Groves Trust Company, Webster Groves, Mo.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by First National Charter Corp., Kansas City, Mo. (Applicant), a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of Webster Groves Trust Co., Webster Groves, Mo. (Bank).

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Finance for the State of Missouri and requested his views and recommendation. The Commissioner offered no objection to the approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on October 27, 1970 (35 F.R. 16656), providing an opportunity for interested persons to submit comments and views with respect to the application. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

The Board has considered the application in the light of the factors set forth

in section 3(c) of the Act, including the effect of the proposed acquisition on competition, the financial and managerial resources and future prospects of Applicant and the banks concerned, and the convenience and needs of the communities to be served. Upon such consideration, the Board finds that:

Applicant, the third largest registered bank holding company and the fourth largest banking organization in Missouri, has three subsidiary banks with \$369 million in deposits, which represent 3.6 percent of the total deposits of all banks in the State. (All banking data are as of June 30, 1970, adjusted to reflect holding company formations and acquisitions approved by the Board to date). This proposal represents Applicant's initial effort to expand into the greater St. Louis area through acquisition of Bank which is located 10 miles west of downtown St. Louis.

Bank (deposits \$35.4 million), the larger of two banks in Webster Groves and the largest of 9 banks serving Webster Groves and environs, is the ninth largest of 43 banks serving St. Louis County (which does not include the city of St. Louis). Applicant's closest subsidiary is located 140 miles west of Bank, and neither it nor any other of Applicant's present subsidiaries compete with Bank to a significant extent. Nor does it appear likely that such competition would develop because of the distances between Applicant's present subsidiaries and Bank, and Missouri's restrictive branching law.

Based upon the foregoing, the Board concludes that consummation of the proposed acquisition would not have significant adverse effects on competition in any relevant area. The banking factors are regarded as consistent with approval of the application as they relate to Applicant and its subsidiaries, and lend some weight in support of approval as they relate to Bank, since affiliation with Applicant would provide Bank with greater management depth. Considerations relating to the convenience and needs of the communities to be served lend additional weight in support of approval; Applicant proposes to expand Bank's trust department and to assist Bank in providing an additional source for meeting the credit and service needs of local businesses. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest, and that the application should be approved.

*It is hereby ordered.* On the basis of the findings summarized above, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order, or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,<sup>1</sup>  
December 17, 1970.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-17337; Filed, Dec. 23, 1970;  
8:48 a.m.]

### SOUTHEAST BANCORPORATION, INC.

#### Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Southeast Bancorporation, Inc., Miami, Fla., for approval of acquisition of 80 percent or more of the voting shares of First Bank & Trust Company of Jacksonville, Jacksonville, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Southeast Bancorporation, Inc., Miami, Fla., a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of First Bank & Trust Company of Jacksonville, Jacksonville, Fla.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking for the State of Florida and requested his views and recommendation. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on October 29, 1970 (35 F.R. 16757), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired, and all those received have been considered by the Board.

The Board has considered the application in the light of the factors set forth in section 3(c) of the Act, including the effect of the proposed acquisition on competition, the financial and managerial resources of the Applicant and the banks concerned, and the convenience and needs of the communities to be served. Upon such consideration, the Board finds that:

Applicant, the second largest banking organization in Florida, controls 10 banks which hold combined deposits of approximately \$824 million, representing 6.8 percent of total deposits held by Florida's commercial banks. (All banking data are as of June 30, 1970, adjusted to reflect holding company formations and acquisitions approved by the Board to date.) Upon acquisition of Bank, Applicant's control of deposits in the State would remain under 7 percent.

<sup>1</sup> Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Maisei, Brimmer, and Sherrill.

Bank, with deposits of \$16.6 million, ranks ninth among 17 banking organizations in Duval County, which is regarded as the relevant banking market, and holds 1.5 percent of deposits in the county. Acquisition of Bank by Applicant will mark its initial entry into the north Florida banking market. Inasmuch as no subsidiary of Applicant is located within 125 miles of Bank and Florida law prohibits branch banking, it appears that consummation of the proposal herein would not result in the elimination of any significant present competition nor the foreclosure of any significant potential competition between Bank and any of Applicant's subsidiaries. On the other hand, acquisition of Bank by Applicant may serve to enhance competition in the Jacksonville market among Applicant and the three other large holding companies that already serve that market and are dominant therein. On the record before the Board, considerations relating to the financial condition, management, and prospects of Applicant, its present subsidiaries and Bank are consistent with approval of the application. Although all banking needs of the Jacksonville area appear to be served adequately, consummation of the proposed acquisition would afford Bank the means with which to offer larger loans and a greater range of services and to become a more effective competitor in the Jacksonville area. It is the Board's judgment that the proposed transaction would be in the public interest, and that the application should be approved.

*It is hereby ordered.* For the reasons set forth in the findings summarized above, that said application be and hereby is approved: *Provided*, That the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such time shall be extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta, pursuant to delegated authority.

By order of the Board of Governors,<sup>1</sup>  
December 17, 1970.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-17309; Filed, Dec. 23, 1970;  
8:46 a.m.]

## GENERAL SERVICES ADMINISTRATION

[Temporary Reg. F-82]

### SECRETARY OF DEFENSE

#### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to

<sup>1</sup> Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Maisei, Brimmer, and Sherrill.

represent the customer interest of the Federal Government in a telecommunications rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Federal Communications Commission in a proceeding (FCC Tariff Filing, November 20, 1970) involving telecommunications rates of the American Telephone and Telegraph Co.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT L. KUNZIG,  
Administrator of General Services.

DECEMBER 17, 1970.

[F.R. Doc. 70-17301; Filed, Dec. 23, 1970;  
8:45 a.m.]

## TARIFF COMMISSION

[337-24]

### AMPICILLIN

#### Correction of Notice of Investigation

The Tariff Commission published in the FEDERAL REGISTER for November 28, 1970 (35 F.R. 18222) a Notice of Investigation and Temporary Exclusion Action identified by the number 337-L-37. The investigation was ordered pursuant to a complaint filed by Beecham Group Ltd., and Beecham, Inc., of Clifton, N.J., alleging unfair methods of competition and unfair acts in the importation and sale of ampicillin in the United States in violation of the provisions of section 337 of the Tariff Act of 1930 (19 U.S.C. 1377).

The correct number for this investigation is 337-24 rather than 337-L-37. The notice of November 28 is corrected accordingly.

Issued: December 22, 1970.

By order of the Commission.

[SEAL] KENNETH R. MASON,  
Secretary.

[F.R. Doc. 70-17394; Filed, Dec. 23, 1970;  
8:50 a.m.]

## SMALL BUSINESS ADMINISTRATION

### ABBOTT CAPITAL CORP.

#### Notice of Application for a License as a Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to section 107.102 of the Regulations Governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) under the name of Abbott Capital Corp., 120 South La Salle Street, Chicago, IL 60603, for a license to operate in the State of Illinois as a small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.) (Act).

The proposed officers and directors and 10 percent stockholders are as follows:

Name	Title	Percentage of stock ownership
Bernard S. Madorin, 4950 Chicago Beach Dr., Chicago, IL 60615.	Chairman of the Board and Director.	29.67
Richard E. Lassar, 1422 Dempster St., Evanston, IL 60202.	President and Director.	14.84
Kenneth P. Griffin, 156 Jane Court, Clarendon Hills, IL 60814.	Secretary and Director.	.60
Arnold D. Sirk, 5421 South Cornell Ave., Chicago, IL 60615.	Treasurer and Director.	29.67
Irving E. Meinrath, 1000 Vernon St., Winnetka, IL 60094.	Director.....	7.42
G. V. Patterson, Rural Route No. 1, Box No. 5, Greentown, IN 46936.	Director.....	1.48
S. Jack Sauer, 1391 Asbury Ave., Winnetka, IL 60093.	Director.....	1.48
Watube Industries Profit Sharing Trust, Bernard S. Madorin, Trustee.	.....	14.84

Watube Industries, Inc., 4343 South Oakley Avenue, Chicago, IL 60609, is a manufacturer of heating and special equipment which includes pressure vessels, process equipment and incinerators.

The company proposes to commence operations with a capitalization of \$337,000.

Matters involved in SBA's consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

Notice is further given that any interested person may not later than 10 days from the date of publication of this notice, submit to SBA in writing, relevant comments on the proposed company. Any communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416.

A copy of this notice shall be published in a newspaper of general circulation in Chicago, Ill.

For SBA (pursuant to delegated authority).

A. H. SINGER,  
Associate Administrator  
for Investment.

DECEMBER 11, 1970.

[F.R. Doc. 70-17306; Filed, Dec. 23, 1970;  
8:45 a.m.]

### METROPOLITAN CAPITAL CORP.

#### Notice of Issuance of a License To Operate as a Small Business Investment Company

On August 1, 1970, a notice was published in the FEDERAL REGISTER (35 F.R. 12378) stating that an application had been filed with the Small Business Administration pursuant to § 107.102 of the Regulations Governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) for a license to operate as a small business investment company by Metropolitan Capital Corp., 2550 Huntington Avenue, Alexandria, VA 22303.

Interested parties were invited to submit their written comments to SBA. No comments were received.

Notice is hereby given that pursuant to the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), after having considered the application and all other pertinent information and facts with regard thereto, License No. 03/04-0107 was issued in Washington, D.C., on December 2, 1970, to Metropolitan Capital Corp., to operate as a small business investment company.

A. H. SINGER,  
Associate Administrator  
for Investment.

DECEMBER 10, 1970.

[F.R. Doc. 70-17307; Filed, Dec. 23, 1970;  
8:45 a.m.]

### PUERTO RICO CAPITAL CORP.

#### Notice of License Surrender

Notice is hereby given that Puerto Rico Capital Corp. (PRCC) has, pursuant to § 107.105 of the Regulations governing small business investment companies (33 F.R. 326, 13 CFR Part 107), surrendered its license to operate as a small business investment company (SBIC).

PRCC was incorporated on September 8, 1961, under the laws of the Commonwealth of Puerto Rico, to operate solely as an SBIC under the Small Business Investment Act of 1958, as amended (15 U.S.C., 661 et seq.) (Act) and it was issued license number 29/02-0236 by the Small Business Administration on March 28, 1962.

Under the authority vested by the Act, and pursuant to the cited regulation, the surrender of the license of PRCC is

hereby accepted and all rights, privileges, and franchises derived therefrom are canceled and terminated.

A. H. SINGER,  
Associate Administrator  
for Investment.

DECEMBER 11, 1970.

[F.R. Doc. 70-17308; Filed, Dec. 23, 1970;  
8:45 a.m.]

## ENVIRONMENTAL PROTECTION AGENCY

### MOTOR VEHICLE POLLUTION CONTROL

#### California State Standards; Notice of Public Hearing; Procedures for Public Hearing

Whereas the Clean Air Act, as amended, section 208(a), 42 U.S.C. 1857f-6a(a) 81 Stat. 501 (Public Law 90-148) provides, "No State or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this title. No State shall require certification, inspection, or any other approval relating to the control of emissions from any new motor vehicle or new motor vehicle engine as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment", and

Whereas section 208(b) of said Act directs the Secretary of Health, Education, and Welfare, after notice and opportunity for public hearing, to waive application of the prohibitions of said section 208 to any State which had adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines prior to March 30, 1966, unless he finds that such State does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of the Clean Air Act, and

Whereas Reorganization Plan No. 3 of 1970 (35 F.R. 15623) transfers to the Administrator of the Environmental Protection Agency all functions of the Secretary of Health, Education, and Welfare under the Clean Air Act, and

Whereas the State of California had, prior to March 30, 1966, adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines.

Now, therefore, I hereby give notice that the State of California has requested waiver of the application of the prohibitions of section 208(a). Pursuant to section 208(b) of the Clean Air Act, as amended, I hereby give notice of a public hearing on this request to be held

in Los Angeles, Calif., at the Customs Courtroom, 300 North Los Angeles Street, on Tuesday, January 26, 1971, commencing at 10 a.m. P.S.T.

The hearing is intended to provide an opportunity for interested persons to state their views or arguments, or to provide pertinent information relating to the action proposed to be taken by the Administrator.

Mr. William H. Megonnell of the Environmental Protection Agency is hereby designated as Presiding Officer to conduct the hearing. Any person desiring to make a statement at the hearing or to submit material for the record of the hearing should file a notice of such intention and, if practicable, five copies of his proposed statement (and other relevant material) with the Presiding Officer, Air Pollution Control Office, Environmental Protection Agency, 5600 Fishers Lane, Rockville, MD 20852, not later than January 20, 1971.

The pertinent standards, requirements, conditions, and test procedures for 1972 and later model year new motor vehicles and new motor vehicle engines are contained in the following identified publications:

#### FEDERAL

45 CFR Part 85 (Nov. 10, 1970, 35 F.R. 17268, et seq.)

#### CALIFORNIA

(1) Exhaust Emission Standards and Test Procedures for New Diesel Powered Vehicles and Diesel Engines set forth in sections 1943, 2109, and 2208, Title 13 California Administrative Code and in "California exhaust emission standards, test and approval procedures for diesel engines in 1973 and subsequent model year vehicles over 6,001 pounds gross vehicle weight", dated November 18, 1970.

(2) Exhaust emission standards and test procedures for 1973 and subsequent model year gasoline powered motor vehicles over 6,001 pounds gross vehicle weight set forth in sections 1943, 2109, and 2208, Title 13 California Administrative Code and in "California exhaust emission standards, test and approval procedures for engines in 1973 and subsequent model gasoline powered motor vehicles over 6,001 pounds gross vehicle weight", dated November 18, 1970.

(3) Exhaust emission standards and test procedures for 1972 model year gasoline powered vehicles under 6,001 pounds gross vehicle weight set forth in sections 1944, 2109, and 2208, Title 13 California Administrative Code and "California exhaust emission standards and test procedures for 1972 model gasoline powered motor vehicles under 6,001 pounds gross vehicle weight", adopted December 15, 1970.

(4) Section 9250.5, Vehicle Code, West Annotated California Codes, as enacted by Chapter 1586, California Laws 1970, Assembly Bill No. 919, Approved September 19, 1970.

(5) Amendments to Part I, Division 26, Health and Safety Code, West Annotated California Codes, as enacted by Chapter 1585, California Laws 1970, Assembly Bill No. 1174, Approved September 20, 1970.

(6) Assembly line test procedure set forth in section 2110, Title 13 California Administrative Code and in "California Assembly Line Test Procedures", dated September 16, 1970.

A copy of the above-described material is available for inspection at the office of the Presiding Officer at the foregoing

address. Copies of the Federal regulations will be provided upon request to that office. Copies of the California standards and test procedures are available upon request to the California Air Resources Board, 434 South San Pedro Street, Los Angeles, CA 90013.

**Procedures.** Since the public hearing is designed to give interested persons an opportunity to participate in this proceeding by the presentation of data, views, arguments, or other pertinent information concerning the Administrator's proposed action, there are no adversary parties as such. Statements by the participants will not be made under oath and the participants will not be subject to cross-examination.

Presentations by the participants should be addressed to the following considerations:

1. Whether the specific standards and related test procedures applicable to the control of emissions from 1972 and later model year new motor vehicles or new motor vehicle engines adopted by the State of California and identified above are more stringent than the Federal standards and related test procedures applicable to the pertinent model year new motor vehicles or new motor vehicle engines;

2. Whether such standards and related test procedures adopted by the State of California are required to meet compelling and extraordinary conditions in the State of California; and

3. Whether such standards and related test procedures (and accompanying enforcement procedures) adopted by the State of California are consistent with section 202(a) of the Clean Air Act, as amended, i.e., (a) whether the State of California has given appropriate consideration to technological feasibility and economic costs and whether emissions subject to control by such standards cause or contribute to, or are likely to cause or contribute to, air pollution which endangers the health or welfare of any persons, and (b) whether such standards and procedures would require automobile manufacturers to obtain certification under a substantially different method from that required by the Federal Government.

In order to assure full opportunity for the presentation of data, views, and arguments by participants, the Presiding Officer will, upon request of the participants, allow a reasonable time after the close of the hearing for the submission of written data, views, arguments, or other pertinent information to be included as part of the record of the public hearing.

A verbatim record of the proceeding will be made and a copy of the transcript will be made available on request at the expense of the person so requesting.

The determination of the Administrator regarding the action to be taken under section 208(b) of the Clean Air Act with respect to the waiver of the application of the prohibition of section 208(a) to the State of California is not required to be made solely on the record of the public hearing. Other scientific,

engineering, and related pertinent information, not included in the transcript of the public hearing, may also be considered.

Dated: December 23, 1970.

JOHN H. LUDWIG,  
Acting Commissioner  
Air Pollution Control Office.

[P.R. Doc. 70-17450; Filed, Dec. 23, 1970;  
11:56 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 117]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

DECEMBER 18, 1970.

The following applications are governed by Special Rule 1100.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the Special Rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its

application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

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

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

No. MC 2392 (Sub-No. 80), filed November 23, 1970. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 14248, West Omaha Station, Omaha, NE 68114. Applicant's representatives: Keith D. Wheeler (same address as applicant), and Leonard A. Jackie-wicz, 1730 M Street NW, Washington, DC 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vegetable oils, crude or refined and blends thereof*, from the plantsite of Archer Daniels Midland Co., at Lincoln, Nebr., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 4405 (Sub-No. 482) (Amendment), filed October 12, 1970, published in the FEDERAL REGISTER issue of November 5, 1970, and republished as amended this issue. Applicant: DEALERS TRANSPORT, INC., 7701 South Lawndale Avenue, Chicago, IL 60652. Applicant's representative: Robert E. Joyner, 2111 Sterick Building, Memphis, TN 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Heat exchangers and equalizers for air, gas or liquid; machinery and equipment for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas or liquids and parts, attachments and accessories for use in the installation and operation of the above-named items, from points in Tennessee, to points in the United States including Alaska, but excluding Hawaii.* Note: Applicant

states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to broaden the territorial scope of the application from Jackson, Tenn., to points in Tennessee. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 4964 (Sub-No. 39), filed November 27, 1970. Applicant: ROY L. JONES, INC., 915 McCarty Avenue, Post Office Box 24128, Houston, TX 77029. Applicant's representative: Austin L. Hatchell, 1101 Perry Brooks Building, Austin, TX 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (a) *Antipollution systems, equipment and parts; liquid cooling and vapor condensing systems, equipment and parts; environmental control and protective systems, equipment and parts;* (b) *equipment, materials, and supplies used in the construction or installation of antipollution and environmental control and protective systems, and liquid cooling and vapor condensing systems* (1) between points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, New Mexico, Missouri, Oklahoma, Tennessee, and Texas; and (2) between points in the States named in (1) above, on the one hand, and, on the other, points in the United States (except Hawaii). Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 10761 (Sub-No. 250), filed November 30, 1970. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, MI 48209. Applicant's representatives: L. G. Naidow (same address as applicant), and A. Alvis Layne, 915 Pennsylvania Building, Washington, DC 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from the plantsite of and storage facilities utilized by Aristo Kansas Meat Packers, Inc., at or near Holton, Kans., to points in Connecticut, Delaware, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 10761 (Sub-No. 251), filed December 4, 1970. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, MI 48209. Applicant's representatives:

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

L. G. Naidow (same address as applicant), and A. Alvis Layne, 915 Pennsylvania Building, Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, including cheese food and cheese spreads, from the plantsite and storage facilities of Tolbia Cheese, Inc., at Fond DuLac, Wis., to points in the States of Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant did not specify a location.

No. MC 14552 (Sub-No. 39) (Correction), filed October 28, 1970, published in the FEDERAL REGISTER issues of November 19 and 26, 1970, and republished as corrected this issue. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a corporation, 555 West Federal Street, Youngstown, OH 44501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel pipe, conduit, metallic, tubing and fitting therefore*, from the plantsite of Youngstown Sheet & Tube Co. at Youngstown, Struthers, and Campbell, Ohio, The Edward Corp. at Warren, Ohio, and the Van Huffel Tube Co. at Warren, Ohio, to points in Missouri; and (2) *iron and steel and iron and steel articles*, from St. Louis, Mo., and the plantsite of Youngstown Sheet Tube Co. at Indiana Harbor, Ind., to points in Ohio. NOTE: Applicant states that the requested authority in Part (1) can be tacked with MC 14552 so as to serve from points in northwestern Pennsylvania and northeastern Ohio and the panhandle of West Virginia to points in Missouri, and in Part (2) with MC 14552 so as to serve northeastern Ohio, northwestern Pennsylvania and the panhandle of West Virginia. It can also be tacked with MC 14552 (Sub-No. 26) so as to transport pipe to points in Connecticut, Delaware, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, Wisconsin, and the District of Columbia. Applicant holds contract carrier authority under MC 123991 and Subs thereunder, therefore, dual operations may be involved. The purpose of this republication is to reflect points in Missouri as the destination in (1) above. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 29120 (Sub-No. 121) (Amendment), filed October 12, 1970, published in the FEDERAL REGISTER, issue of November 5, 1970, and republished as amended this issue. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Post Office Box 769, Sioux Falls, SD 57101. Applicant's representative: Mead Bailey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual

value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, livestock, and commodities injurious or contaminating to other lading), between Indianapolis, Ind., and Fargo, N. Dak., from Indianapolis over Interstate Highway 65 to junction Interstate Highway 90 at or near Gary, Ind., thence over Interstate Highway 90 to junction Interstate Highway 94 at or near Tomah, Wis., thence over Interstate Highway 94 to Fargo, and return over the same route as an alternate route for operating convenience only in connection with applicant's present authority, serving no intermediate points. NOTE: Common control may be involved. The purpose of this republication is to delete the words "with service at Indianapolis for purpose of joinder only". If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 29910 (Sub-No. 95), filed November 9, 1970. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, AR 72901. Applicant's representatives: Thomas Harper and Don A. Smith, Kelley Building, Post Office Box 43, Fort Smith, AR 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Reclaimed rubber slabs and ground rubber*, from Vicksburg, Miss., to points in New York, Pennsylvania, Ohio, Kentucky, Indiana, Michigan, Wisconsin, Illinois, Iowa, Minnesota, Missouri, Kansas, and Virginia, rejected shipments of the above commodities, on return. NOTE: Applicant states that the requested authority can be tacked with its MC 29910 at Vicksburg, Miss. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Memphis, Tenn.

No. MC 30844 (Sub-No. 338), filed November 27, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Post Office Box 5000, Waterloo, IA 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, CO 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionaries*, between Minneapolis, Minn., on the one hand, and, on the other, Norwalk, Ohio. NOTE: Applicant states it can perform the authority sought herein by use of originating traffic on their grocery authority between points in Ohio and Iowa and interline to its commonly controlled affiliate Arrow Motor Freight Line, Inc., in Waterloo to Twin Cities, Minn. The purpose of this application is to eliminate use of Waterloo gateway and the resultant 72 miles circuitry which places undue economic burden on the applicant. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Minneapolis, Minn.

No. MC 30844 (Sub-No. 339), filed November 30, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, IA 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, CO 80202. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron steel shot and grit*, from Adrian, Mich., to points in Iowa, Minnesota, Kansas, Missouri, Nebraska, and Moline, Ill. Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 31389 (Sub-No. 136), filed November 20, 1970. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, NC 27102. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Cleveland, Ohio, and Princeton, W. Va., from Cleveland over Interstate Highway 77 to Princeton, serving (1) Akron and Canton, Ohio, as intermediate or off-route points; and (2) serving the junction of U.S. Highway 40 and Interstate Highway 77, and the junction of U.S. Highway 250 and Interstate Highway 77 and Princeton, W. Va., for joinder only. Restriction: The foregoing authority is restricted to traffic moving to, from, or through Danville, Va., or points in North Carolina. NOTE: Applicant states that this is an alternate route case since it is presently authorized to conduct operations over the existing routes between Danville, Va., and points in North Carolina and points south thereof, on the one hand, and, on the other, the Ohio points involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 41406 (Sub-No. 28) (Correction), filed November 2, 1970, published in the FEDERAL REGISTER issue of December 3, 1970, corrected in part, and republished as corrected, this issue. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, IN 46323. Applicant's representatives: Ferdinand Born and Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, IN 46204. NOTE: The purpose of this partial republication is to reflect the correct name of applicant as ARTIM TRANSPORTATION SYSTEM, INC., in lieu of AMTIM TRANSPORTATION SYSTEM, INC., as shown erroneously in the previous publication. The rest of the application remains the same.

No. MC 46219 (Sub-No. 10), filed December 7, 1970. Applicant: STERNBERGER MOTOR CORPORATION, 45-50 Court Square, Long Island City, NY 11101. Applicant's representative: Blanton P. Bergeh, 137 East 36 Street, New York, NY 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *New furniture and household furnishings, uncrated* (or crated when

moving in same vehicle with above) restricted to shipments requiring inside delivery and installation at destination; (b) *Returns of damaged, rejected or defective furniture or household furnishings, uncrated* (or crated when moving in same vehicle, with above) from dealers, retailers or their customers to manufacturers; (c) *new furniture and household furnishings, uncrated* (or crated when moving in same vehicle with above) for deliveries to department and furniture stores and warehouse maintained by such stores, between New York, N.Y., and Alexandria, Va., on the one hand, and, on the other, points and places in North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Kentucky, and Tennessee. **NOTE:** Applicant states it proposes joinder at New York, N.Y., and/or Alexandria, Va. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 46829 (Sub-No. 11), filed November 23, 1970. Applicant: ALLARD EXPRESS, INC., 806 Elm Street, Watertown, WI 53094. Applicant's representative: Michael J. Wyngaard, 125 West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Watertown and Milwaukee, Wis., in connection with carrier's authorized regular-route operations, from Watertown over U.S. Highway 16 to its junction with Interstate Highway 94, thence over Interstate Highway 94 to Milwaukee and return over the same route: **Restriction:** Restricted to shipments received from or delivered to connecting carriers at Milwaukee, Wis. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 54837 (Sub-No. 5), filed November 25, 1970. Applicant: QUINN DISTRIBUTING COMPANY, a corporation, doing business as QUINN TRANSFER COMPANY, Watertown, Minn. 55388. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from St. Paul, Minn., to points in Minnesota. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, appli-

cant requests it be held at St. Paul or Minneapolis, Minn.

No. MC 56679 (Sub-No. 41) (Correction), filed July 16, 1970, published in the FEDERAL REGISTER issue of August 20, 1970, and republished as corrected, this issue. Applicant: BROWN TRANSPORT CORP., 125 Milton Avenue SE., Atlanta, GA 30315. Applicant's representative: B. K. McClain (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment because of size or weight), between Augusta, Ga., on the one hand, and, on the other, points in Florida. **NOTE:** Applicant states it intends to tack at Augusta, Ga., with existing authorities wherein it provides service in the States of Georgia and Tennessee. The purpose of this republication is to reflect that tacking is contemplated.

No. MC 61264 (Sub-No. 28), filed December 2, 1970. Applicant: PILOT FREIGHT CARRIERS, INC., Post Office Box 615, Winston-Salem, NC 27102. Applicant's representative: William F. King, 421 King Street, Suite 301, Alexandria, VA 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those injurious or contaminating to other lading), serving Chattanooga, Tenn., as an intermediate point in connection with its authorized regular-route operations between Columbus, Ga., and Sturbridge, Mass., in certificate No. MC 61264. **NOTE:** Application is accompanied by a motion to dismiss. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 63417 (Sub-No. 33), filed November 23, 1970. Applicant: BLUE RIDGE TRANSFER CO., INC., a corporation, 1814 Hollins Road NE., Post Office Box 2888, Roanoke, VA 24001. Applicant's representative: Lester M. Bridgeman and Nancy Pyeatt, 420 Executive Building, 1030 15th Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water heaters, and heating boilers, and hot water tanks*, in mixed loads with water heaters (except those the transportation of which, because of size or weight, requires the use of special equipment), from Kankakee, Ill., to points in Alabama, Delaware, the District of Columbia, and Maryland. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 71043 (Sub-No. 5) (Amendment), filed October 26, 1970, published in the FEDERAL REGISTER issue of November 19, 1970, and republished as amended this issue. Applicant: La PORTE

TRANSIT CO., INC., Post Office Box 205, La Porte, IN 46350. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, explosives, commodities in bulk and those commodities because of size and weight requiring the use of special equipment), between Peoria, Ill., on the one hand, and La Porte, Ind., on the other, restricted to traffic moving in interline service. **NOTE:** Applicant states that it will tack at La Porte, Ind., with purchase of authority pending in MC-F-10254. The purpose of this republication is to redescribe the scope of the authority sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 76032 (Sub-No. 269), filed December 7, 1970. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, CO 80223. Applicant's representative: John T. Coon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile cleaning machinery and parts*, between Monrovia, Calif., on the one hand, and, on the other, points in Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, Missouri, Kansas, Kentucky, Washington, Oregon, Idaho, Montana, Utah, New Jersey, and New York. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 82841 (Sub-No. 78), filed November 27, 1970. Applicant: HUNT TRANSPORTATION, INC., 801 Livestock Exchange Building, Omaha, NE 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, NE 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock watering and feeding equipment*, from Council Bluffs, Iowa, to points and places in the States of Missouri, Illinois, South Dakota, and North Dakota. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 83539 (Sub-No. 302) (Correction), filed October 8, 1970, published in the FEDERAL REGISTER issue of November 5, 1970, and republished, as corrected, this issue. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, TX 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compressors and compressor parts and accessories; pulp and paper mill machinery, plastic injection molding machinery, paper mill cylinder molds, and parts and*

accessories for the aforementioned commodities, when moving in connection therewith, from Nashua, N.H., to points in the United States (except New Hampshire and Hawaii). **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. The purpose of this republication is to redescribe the commodity description, a portion of which was inadvertently omitted in the previous publication. The rest of the application remains the same.

No. MC 85696 (Sub-No. 7) (Amendment), filed October 5, 1970, published in the FEDERAL REGISTER issue of November 5, 1970, amended and republished as amended, this issue. Applicant: DIAMOND FREIGHTWAYS, INC., Box 145, Friend, NE 68359. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 2028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: Over regular routes: (A) *General commodities*, except those of unusual value, livestock, those requiring special equipment, and those injurious or contaminating to other lading. (1) Between Omaha, Nebr., and Geneva, Nebr.: From Omaha over U.S. Highway 6 to Fairmont, Nebr., thence over U.S. Highway 81 to Geneva, Nebr., and return over the same route, serving the intermediate points of Lincoln, Dorchester, Exeter, Friend, and Fairmont, Nebr., and the off-route point of Burriss, Nebr.; (2) Between Sutton and Hastings, Nebr.: From Sutton, Nebr., over U.S. Highway 6 to Hastings, Nebr., and return over the same route; (3) Between Harvard and Grand Island, Nebr.: From Harvard over unnumbered county roads to Giltner, Nebr., thence over Nebraska Highway 502 to its junction with U.S. Highway 34, thence over U.S. Highway 34 to Grand Island, and return over the same route, serving all intermediate points and the off-route point of Clay Center, Nebr.;

(4) From Grand Island, Nebr., to Harvard, Nebr.: from Grand Island, Nebr., over U.S. Highway 281 to its junction with U.S. Highway 6, thence over U.S. Highway 6 to its junction with unnumbered county road near Harvard, Nebr., thence over unnumbered county road to Harvard, Nebr., serving all intermediate points and the off-route point of Clay Center, Nebr.; (5) Between Harvard and Edgar, Nebr.: From Harvard over unnumbered county road to its junction with U.S. Highway 6, thence over U.S. Highway 6 to its junction with Nebraska Highway 14, thence over Nebraska Highway 14 to its junction with Nebraska Highway 119, thence over Nebraska Highway 119 to Edgar, Nebr., and return over the same route, serving all intermediate points and the off-route points of Fairfield and Glenville, Nebr.; (6) Between McCool Junction and Omaha, Nebr.: From McCool Junction over U.S. Highway 81 to Fairmont, Nebr., thence over U.S. Highway 6 to Omaha, and return over the same route, serving all intermediate points and the off-route

points of Cordova, Beaver Crossing, and York, Nebr.; (7) Between the junction of U.S. Highway 6 and Nebraska Highway 33 and Lincoln, Nebr.: From the junction of U.S. Highway 6 and Nebraska Highway 33 over Nebraska Highway 33 to its junction with U.S. Highway 77, thence over U.S. Highway 77 to Lincoln, Nebr., and return over the same route, serving the intermediate point of Crete, Nebr.; (8) Between Harvard and Lincoln, Nebr.: From Harvard over U.S. Highway 6 to Lincoln, Nebr., and return over the same route, serving the intermediate points of Sutton and Grafton, Nebr., and the off-route point of Clay Center, Nebr.;

(9) Between Geneva and Bruning, Nebr.: Over U.S. Highway 81 to Bruning, Nebr., and return over the same route. *Over irregular routes:* (B) *General commodities*, except those of unusual value, livestock, those requiring special equipment, and those injurious or contaminating to other lading. (1) Between points in Fillmore County, Nebr., and between points in said county, on the one hand, and, on the other, points in Webster, Nuckolls, Thayer, Jefferson, Gage, Lancaster, Saline, Clay, Adams, Hall, Hamilton, York, Seward, Butler, Polk, and Merrick Counties, Nebr.; (2) Between points in an area in Nebraska bounded on the north by Interstate Highway 80, on the east by Nebraska Highway 15, and on the south by U.S. Highway 136 and on the west by Nebraska Highway 14, and between points in said area, on the one hand, and, on the other, points in Nebraska; (3) Between points in an area in Nebraska bounded on the north by Nebraska Highway 66, on the east by U.S. Highway 77, and on the south by U.S. Highway 136, and on the west by Nebraska Highway 14, and between points in said area on the one hand, and, on the other, all points in Nebraska; and (4) *Emigrant movables:* Between points in Fillmore County, Nebr., and between points in said county on the one hand, and, on the other, points in Nebraska. **NOTE:** Applicant states that the requested authority will be joined with its regular route authority. The purpose of this republication is to broaden the scope of authority sought. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 89523 (Sub-No. 20), filed December 2, 1970. Applicant: MID-STATES TRUCKING CO., a corporation, 2517 North Grand, Enid, OK 73701. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household, laundry, scouring, and cleaning supplies and compounds and animal litter*, for the account of The Clorox Co., from Houston, Tex., to points in Oklahoma. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Oklahoma City, Okla.

No. MC 94350 (Sub-No. 282) (CORRECTION), filed November 13, 1970, published in FEDERAL REGISTER issue Decem-

ber 10, 1970, and republished as corrected this issue. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, SC 29602. Applicant's representatives: Mitchell King, Jr. (same address as applicant), and Ames, Hill, & Ames, 666 11th Street, Washington, DC. The purpose of this republication is to show correct docket No. MC 94350 (Sub-No. 282), in lieu of 85718 (Sub-No. 3), which was previously published under the above applicant name.

No. MC 95876 (Sub-No. 108), filed November 29, 1970. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, MN 56301. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from plant and warehouse sites of North Star Steel Co. at Newport, Minn., to points in the United States (except California, Hawaii, Indiana, Idaho, Michigan, Montana, Oregon, Nebraska, North Dakota, South Dakota, Utah, and Washington). **NOTE:** Applicant states that tacking the requested authority under MC 95876 Sub-Nos. 9, 50, and 99 (pending) is possible, but knows of no traffic which would move through tacking these authorities, and therefore does not identify the points or territories which could be served through tacking. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 97699 (Sub-No. 31), filed November 20, 1970. Applicant: BARBER TRANSPORT CO., Deadwood Avenue, Rapid City, SD 57701. Applicant's representative: Leslie R. Kehl, Suite 420, Denver Club Building, Denver, CO 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Rapid City, S. Dak., and Newcastle, Wyo., from Rapid City, S. Dak., over U.S. Highway 16 to Newcastle, Wyo., and return over the same route, serving all intermediate points. **NOTE:** Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak.

No. MC 102567 (Sub-No. 139), filed December 7, 1970. Applicant: EARL GIBBON TRANSPORT, INC., 4295 Meadow Lane, Post Office Drawer 5357, Bossier City, LA 71010. Applicant's representative: Jo E. Shaw, 816 Houston First Savings Building, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from the plantsite of American Cyanamid Co. at or near Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi,

North Carolina, South Carolina, and Tennessee. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 103066 (Sub-No. 26), filed December 4, 1970. Applicant: STONE TRUCKING COMPANY, a corporation, 4927 South Tacoma, Post Office Box 2014, Tulsa, OK 74101. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution systems equipment and parts; liquid cooling and vapor condensing systems equipment and parts; environmental control and protective systems equipment and parts; equipment, materials and supplies*, used in the construction or installation of antipollution and environmental control and protective systems and liquid cooling and vapor condensing systems; (1) between points in Arkansas, Colorado, Illinois, Kansas, Louisiana, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wyoming, and (2) between points named in (1) above, on the one hand, and, on the other, points in the United States (except Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla., and Houston or Dallas, Tex.

No. MC 103993 (Sub-No. 585), filed December 7, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghesani (same address as applicant), and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobiles, in initial movements from Goodhue, Murray, Fairbault, and Wadina Counties, Minn., to points in the United States (except Alaska and Hawaii); (2) *buildings* and sections of buildings, from Goodhue, Murray, and Fairbault Counties, Minn., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states no duplicating authority is being sought. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 103993 (Sub-No. 586), filed December 7, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, and *buildings* and sections of buildings,

from Spartanburg, S.C., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Spartanburg, S.C.

No. MC 103993 (Sub-No. 590), filed December 7, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, buildings and sections of buildings, from Lake County, S. Dak., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 103993 (Sub-No. 591), filed December 7, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, buildings and sections of buildings, from Black Hawk County, Iowa, to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states no duplicating authority is being sought. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Waterloo, Iowa.

No. MC 105984 (Sub-No. 10), filed December 4, 1970. Applicant: JOHN B. BARBOUR, Jr., doing business as JOHN B. BARBOUR TRUCKING COMPANY, Iowa Park, TX 76367. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution systems equipment and parts; liquid cooling and vapor condensing systems equipment and parts; environmental control and protective systems equipment and parts; equipment, materials, and supplies* used in the construction or installation of antipollution and environmental control and protective systems, and liquid cooling and vapor condensing systems, (1) between points in Colorado, Kansas, Louisiana, Montana, New Mexico, Oklahoma, Texas, Utah, and Wyoming, and (2) between points named in (1) above, on the one hand, and, on the other, points in the United States (except Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held

at Oklahoma City or Tulsa, Okla., or Houston or Dallas, Tex.

No. MC 106398 (Sub-No. 510), filed October 9, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, OK 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service from points in Logan County, Okla., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 106497 (Sub-No. 55), filed November 23, 1970, a corporation. Applicant: PARKHILL TRUCK COMPANY, Post Office Box 912, Joplin, MO 64801. Applicant's representatives: A. N. Jacobs (same address as applicant), and Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe*, from Titusville, Pa., and Watsonville, Calif., to points in the United States (except Hawaii). **NOTE:** Applicant holds authority to transport pipe involving rights-of-way, water, sewer, or gas and oil industries in all States except California. Applicant seeks no duplicating authority. Common control may be involved. Applicant states tacking is possible on Sub Nos. 4 and 35 where plastic pipe is of such size or weight that it requires special equipment or handling, also where pipe is used in pipeline rights-of-way, water, sewer, or gas and oil industries, but does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or San Francisco, Calif.

No. MC 106674 (Sub-No. 77) (Correction), filed November 10, 1970, published in FEDERAL REGISTER issue December 10, 1970, and republished as corrected this issue. Applicant: SCHILLI MOTOR LINES, INC., Post Office Box 122, Delphi, IN 46923. Applicant's representative: Thomas R. Schilli (same address as applicant). The purpose of this republication is to show the correct docket No. MC 106674 (Sub-No. 77) in lieu of 115669 (Sub-No. 118), which was previously published at page 18774 of the issue of December 10, 1970.

No. MC 106674 (Sub-No. 78), filed December 7, 1970. Applicant: SCHILLI MOTOR LINES, INC., Post Office Box 122, Delphi, IN 46921. Applicant's representative: Carl L. Steiner, 39 South La

Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer*, in bag and in bulk, from the plantsite and storage facilities of Central Nitrogen, Inc., located at or near Terre Haute, Marion County, Ind., to points in Illinois, Indiana, Kentucky, Michigan, and Ohio and (2) *Liquid fertilizer solutions*, from the plantsite and storage facilities of Central Nitrogen, Inc., located at or near Terre Haute, Marion County, Ind., to points in Illinois and Indiana. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106775 (Sub-No. 27), filed December 4, 1970. Applicant: ATLAS TRUCK LINE, INC., Post Office Box 9848, Houston, TX 77015. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution system equipment and parts; liquid cooling and vapor condensing systems equipment and parts; environmental control and protective systems equipment and parts; equipment, materials and supplies used in the construction or installation of antipollution and environmental control and protective systems, and liquid cooling and vapor condensing systems*, (1) between points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wyoming, and (2) between points named in (1) above, on the one hand, and, on the other, points in the United States (except Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, or Tulsa, Okla., or Houston or Dallas, Tex.

No. MC 107678 (Sub-No. 42), filed December 4, 1970. Applicant: HILL & HILL TRUCK LINE, INC., 14942 Talcott, Post Office Box 9698, Houston, TX 77015. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Antipollution systems equipment and parts; liquid cooling and vapor condensing systems equipment and parts; environmental control and protective systems equipment and parts*; (2) *Equipment, materials, and supplies used in the construction or installation of antipollution and environmental control and protective systems, and liquid cooling and vapor condensing systems*, (A) Between points in Alabama, Alaska, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas,

Utah, and Wyoming; and (B) Between points named in (1) above, on the one hand, and points in the United States, except Hawaii, on the other. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla., and Houston or Dallas, Tex.

No. MC 108119 (Sub-No. 25), filed November 25, 1970. Applicant: E. L. MURPHY TRUCKING CO., a corporation, 3033 Sibley Memorial Highway, Post Office Box 3010, St. Paul, MN 55101. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aircraft and aircraft parts*, between points in New York, Massachusetts, Connecticut, New Jersey, Pennsylvania, Maryland, Ohio, Michigan, Illinois, Missouri, Wisconsin, Minnesota, North Dakota, Montana, Washington, Oregon, California, Virginia, Georgia, Florida, and the District of Columbia; and (2) *equipment, parts, materials, machinery and supplies used in the assembling, maintenance, servicing, repairing, and operation of aircraft, except commodities in bulk and except the transportation of automobiles, trucks, and buses, other than those designed for off-highway use*, between points in (1) above, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to traffic originating at or destined to terminals and facilities of Northwest Airlines, Inc. **NOTE:** Applicant states tacking possibilities but states it has no present intention to tack and therefore, does not specify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. It further states no duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108207 (Sub-No. 312), filed November 24, 1970. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Post Office Box 5888, Dallas, TX 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared animal feed (except in bulk)*, from warehouse facilities of Lipton Pet Foods at or near New Orleans, La., to points in Michigan, Ohio, Indiana, Kentucky, Missouri, Kansas, Oklahoma, Illinois, Arizona, Iowa, Wisconsin, New Mexico, California, Nebraska, Minnesota, Texas, and Memphis, Tenn. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Fort Worth, Tex.

No. MC 108297 (Sub-No. 19), filed December 3, 1970. Applicant: FOX TRANSPORT SYSTEM, 21 South Fifth

Street, Philadelphia, PA 19106. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, in vehicles equipped with mechanical refrigeration; and (2) *fruit juices and fruit drinks (except in bulk)* between Fort Washington, Pa., on the one hand, and, on the other, points in Allegheny, Garrett, and Washington Counties, Md. **NOTE:** Applicant states that tacking is possible at Fort Washington, Pa., for service under applicant's Sub 12. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 109302 (Sub-No. 3), filed November 16, 1970. Applicant: FRANKLIN'S TRANSFER AND STORAGE, INC., 1029 Narrigan Street, Post Office Box 936, Medford, OR 97501. Applicant's representative: Robert G. Simpson, 1200 Standard Plaza, Portland, OR 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, commodities in bulk and commodities requiring special equipment)* between points in Jackson County, Ore.; between points in Jackson County, Ore., on the one hand, and, points in Josephine County, Ore., on the other; between points in Josephine County, Ore.; between points in Jackson County, Ore., on the one hand, and, points in Klamath County, Ore., on the other; between points in Klamath County, Ore. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Medford or Portland, Ore.

No. MC 109326 (Sub-No. 103), filed November 27, 1970. Applicant: C & D TRANSPORTATION CO., INC., Post Office Drawer 1503, Mobile, AL 36601. Applicant's representatives: Robert E. Kenne (same address as applicant), and William P. Jackson, Jr., 919 18th Street, NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles)*, from the plantsite of Oscar Mayer & Co., at or near Goodlettsville, Tenn., to points in Alabama, Florida, Georgia, Mississippi, and Louisiana. Operations restricted to traffic originating at the above-described plantsite to points in the above-named destination States. **NOTE:** Applicant has contract carrier authority under MC 68997, therefore, dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 109397 (Sub-No. 246), filed December 7, 1970. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, MO 64802. Applicant's representative: Max G. Morgan, 600 Leininger Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and byproduct materials, radioactive materials, related reactor equipment, component parts and associated materials* between facilities of Combustion Engineering in Hartford County, Conn., on the one hand, and, on the other, points in the United States except Hawaii and Alaska. **NOTE:** Applicant states that tacking is not intended; however, the same is possible but believed impractical with its Sub-No. 150. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant holds contract carrier authority under MC 128814 and Subs thereunder, therefore, dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Hartford, Conn.

No. MC 110563 (Sub-No. 51), filed November 23, 1970. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, 113 North Ohio Avenue, Sidney, OH 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite and warehouse facilities of Germantown Manufacturing Co. at or near Broomall, Pa., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 110563 (Sub-No. 52), filed December 3, 1970. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, North Ohio Avenue, Sidney, OH 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and warehouse facilities of A & P Tea Co. located at or near Salem, Ohio, to points in Maryland, New Jersey, New York, Massachusetts, Pennsylvania, Connecticut, and the District of Columbia, restricted to traffic originating at the above-named plantsites and warehouse facilities. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests

it be held at Trenton, N.J., or Philadelphia, Pa.

No. MC 110563 (Sub-No. 53), filed December 3, 1970. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, North Ohio Avenue, Sidney, OH 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Foodstuffs* (except commodities in bulk), from the plantsites and warehouse facilities of the Kroger & Co. located at or near Cincinnati, Ohio, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia; and (b) *frozen foods*, from Clermont, Hudson, and Milton, N.Y., to the plantsite and warehouse facilities of Kroger & Co. located at or near Cincinnati, Ohio; restricted in both (a) and (b) above to traffic originating at the named origin points and destined to the named destination points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cincinnati or Columbus, Ohio.

No. MC 110563 (Sub-No. 54), filed December 3, 1970. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, North Ohio Avenue, Sidney, OH 45365. Applicant's representative: Mr. Joseph M. Scanlan, 111 West Washington, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsites and warehouse facilities of Whitehall Packing Co., Inc., located at or near Whitehall and Eau Claire, Wis., to points in Connecticut, Delaware, Maryland, District of Columbia, New Jersey, Pennsylvania, New York, Massachusetts, and Rhode Island, restricted to traffic originating at the above-named plantsites and warehouse facilities. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 111045 (Sub-No. 75), filed November 23, 1970. Applicant: REDWING CARRIERS, INC., Post Office Box 426, Tampa, FL 33601. Applicant's representative: J. V. McCoy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plywood, paneling and moulding*; (2) *materials, supplies and accessories* (except commodities in bulk) used in the installation of plywood, paneling and moulding when moving at the same time and the same vehicle as plywood, paneling, and moulding, from points in Manatee County, Fla., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, Louisiana, North Carolina, South Carolina, and Tennessee. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority.

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

No. MC 111397 (Sub-No. 96), filed November 23, 1970. Applicant: DAVIS TRANSPORT, INC., 1345 South Fourth Street, Paducah, KY 42001. Applicant's representative: H. S. Melton, Jr., Box 1407, Paducah, KY 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and byproduct radioactive, and nuclear material and radioactive material containers on special trailers*, between ports of entry on the United States-Canada boundary line at Port Huron, Mich., the Atomic Energy Commission plantsites at Oak Ridge, Tenn., at or near Sargents, Ohio, at points in McCracken County, Ky., and private storage facilities in Madison County, Ky. **NOTE:** Applicant states that the requested authority cannot be tacked to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Detroit, Mich.

No. MC 111812 (Sub-No. 411), filed December 3, 1970. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, SD 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, NE 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from Dubuque, Iowa, to points in Ohio, West Virginia, Virginia, Maryland, Delaware, Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Maine, Vermont, New Hampshire, Rhode Island, and the District of Columbia. Restricted to traffic originating at Dubuque, Iowa. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Chicago, Ill.

No. MC 112520 (Sub-No. 225), filed November 27, 1970. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, FL 32302. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil*, in bulk, from Bay Harbor, Fla., to Mobile, Ala., and Moss Point, Miss. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala., or Jacksonville, Fla.

No. MC 112801 (Sub-No. 112), filed December 4, 1970. Applicant: TRANSPORT SERVICE CO., Post Office Box

50272, Chicago, IL 60650. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the plant and warehouse sites of Philadelphia Quartz Co. at La Salle, Ill., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee (west of Highway 27), Texas, West Virginia, Wisconsin, and Wyoming. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112801 (Sub-No. 113), filed December 7, 1970. Applicant: TRANSPORT SERVICE CO., Post Office Box 50272, Chicago, IL 60650. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry feed grade urea*, from the storage facilities utilized by Occidental Chemical Co. at Pekin, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Minnesota, Missouri, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113089 (Sub-No. 11), filed November 27, 1970. Applicant: ED GALIGHER, Post Office Box 163, Bowerston, OH 44695. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay drain tile and clay filter block*, from Bowerston, Ohio, to points in Connecticut, Kentucky, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont, under contract with Bowerston Shale Co., Bowerston, Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 113434 (Sub-No. 39) (Correction), filed October 19, 1970, published in the FEDERAL REGISTER issue of November 26, 1970, and republished, as corrected, this issue. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln, Holland, MI 49423. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, Detroit, MI 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, products and supplies* used in or produced by the food processing industry (except in bulk) (1) from Lawton and Decatur, Mich., to Toledo, Ohio; (2) between Lawton and Decatur, Mich., and points in Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.,

or Washington, D.C. The purpose of this republication is to redescribe the territorial scope of the application. The rest of the application remains the same.

No. MC 113666 (Sub-No. 49), filed November 18, 1970. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, PA 16229. Applicant's Representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Insulation, insulating materials, equipment* used in installing insulating materials, and *advertising materials* used by dealers, from Wauseon, Ohio, to points in Pennsylvania, New York, West Virginia, Maryland, Virginia, Delaware, New Jersey, Illinois, Indiana, Michigan, Kentucky, Tennessee, and ports of entry on the Detroit and St. Clair River on the international boundary line between the United States and Canada; (2) *materials and supplies* used in production of insulation and insulating materials, from points in Pennsylvania, New York, West Virginia, Maryland, Virginia, Delaware, New Jersey, Illinois, Indiana, Michigan, Kentucky, Tennessee, and ports of entry on the Detroit and St. Clair River on the international boundary line between the United States and Canada, to Wauseon, Ohio; and (3) *egg cartons* from points in Illinois, Indiana, Michigan, Ohio, West Virginia, Maryland, New York, New Jersey, Connecticut, Massachusetts, New Hampshire, Vermont, and Rhode Island to East Butler, Pa. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113678 (Sub-No. 412), filed November 24, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyard Station, Denver, CO 80216. Applicant's representatives: Duane W. Acklie, and Richard Peterson, Post Office Box 806, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from Sterling, Colo., to points in Minnesota. Restricted to traffic originating at the plantsite or storage facilities of Sterling Colorado Beef at Sterling, Colo., and destined to the above destinations. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant did not specify a location.

No. MC 114045 (Sub-No. 347), filed December 4, 1970. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, TX 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat*, from the cold storage facilities utilized by Wilson-Sinclair at

Lafayette, Ind., to points in Arkansas, Oklahoma, and Texas, restricted to the transportation of traffic originating at the above specified cold storage facilities and destined to the above specified destinations. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Dallas, Tex.

No. MC 114194 (Sub-No. 158), filed November 27, 1970. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, IL 62201. Applicant's representative: Gene Kreider, 67 Carnation, Collinsville, IL 62234. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products and blends* (in bulk), from Keokuk, Iowa, to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Cedar Rapids, Iowa.

No. MC 114312 (Sub-No. 18), filed November 23, 1970. Applicant: ABBOTT TRUCKING, INC., Route 3, Box 74, Delta, OH 43515. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, fertilizer ingredients, fungicides, herbicides, and insecticides*, (1) between Cincinnati and Orrville, Ohio, on the one hand, and, on the other, points in New York, Pennsylvania, West Virginia, Maryland, Michigan, Indiana, and Illinois; (2) from Danville, Ill., to points in Ohio; (3) from Washington Court House, Ohio, to points in Pennsylvania; (4) from Danville, Ill., to points in the Lower Peninsula of Michigan and (5) from Whiteland, Ind., to points in Ohio. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Chicago, Ill.

No. MC 115322 (Sub-No. 76) (Amendment), filed September 4, 1970, published in the FEDERAL REGISTER issue of October 1, 1970, amended and republished, as amended, this issue. Applicant: REDWING REFRIGERATED, INC., Post Office Box 1698, 2939 Orlando Drive, Sanford, FL 32771. Applicant's representative: David C. Venable, 701 Washington Building, 15th and New York Avenue NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen concentrated coffee*, from points in Florida to points in

Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, Pennsylvania, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. The purpose of this republication is to broaden the destination territory by adding the state of Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115669 (Sub-No. 121), filed November 30, 1970. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, NE 68933. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, NE 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, from points in Eddy County, N. Mex., to points in Nebraska. Restriction: The authority named above shall be restricted to traffic originating at the above-named origin points. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 116254 (Sub-No. 118), filed November 27, 1970. Applicant: CHEM-HAULERS, INC., Post Office Drawer M, Sheffield, AL 35660. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, TN 37219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Decatur, Ala., to points in Alabama, Florida, Georgia, Indiana, Kentucky, Louisiana, North Carolina, South Carolina, Tennessee, and Texas. NOTE: Applicant states that the requested authority can be tacked with its Sub 5 at Sheffield, Ala.; Sub 52 at Barfield, Ark.; and Sub 79 at a point in Robertson County, Tenn. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Nashville, Tenn., or Birmingham, Ala.

No. MC 117036 (Sub-No. 16), filed November 23, 1970. Applicant: H. M. KELLY, INC., Rural Delivery 1, New Oxford, PA. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Brick and clay products* on vehicles equipped with unloading devices, from the facilities of Washington Brick Co., Division of Thos. Somerville Co., Muirkirk, Md., to points in Maine, New Hampshire, Vermont, Delaware, Rhode Island, New Jersey, New York, Connecticut, Virginia, West Virginia, Ohio, Michigan, Indiana, Illinois, Kentucky, Tennessee, North Carolina, and Massachusetts. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests

it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 117799 (Sub-No. 8), filed November 30, 1970. Applicant: BEST WAY FROZEN EXPRESS, INC., Room 210, 3033 Excelsion Boulevard, Minneapolis, MN 55416. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meat, cheese and meat and cheese products*; and (2) *commodities* the transportation of which falls within the partial exemption of section 203(B)(6) of the Interstate Commerce Act, when moving in mixed loads with any of the commodities specified in (1), from East Brunswick, N.J., to points in Illinois, Iowa, Kansas, Missouri, Minnesota, Nebraska, and Wisconsin. NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Newark, N.J.

No. MC 117851 (Sub-No. 7), filed November 27, 1970. Applicant: JOHN R. CHEESEMAN, 501 North First Street, Fort Recovery, OH 45846. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, OH 43215. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Plumbers goods*; (1) from Delphi, Ind., and Kokomo, Ind., to points in Florida, Georgia, Kentucky, North Carolina, and South Carolina; and (2) between Delphi, Ind., and Kokomo, Ind., on the one hand, and, on the other, points in Alabama, and Tennessee. NOTE: Applicant states the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 117815 (Sub-No. 168), filed November 30, 1970. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, IA 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except in bulk, from points in Will County, Ill., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118180 (Sub-No. 9), filed November 23, 1970. Applicant: GOVAN EXPRESS, INC., Post Office Box 1605, 3200 Conflans Street, Irving, TX 75060.

Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, TX 75201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products and articles distributed by meat packinghouses*, from Seward County, Kans., to points in Louisiana, Arkansas, Tennessee, Mississippi, Alabama, Georgia, and Florida. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 118263 (Sub-No. 39), filed November 27, 1970. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, IN 47131. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, GA 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, bird, and pet foods and supplies* (except commodities in bulk in tank vehicles) when moving in mixed shipments with foodstuffs, from (A) Rochester, N.Y., to points in Kentucky, Indiana (except the Chicago, Ill., commercial zone), and to those points in Illinois south of U.S. Highway 24; and (B) Souderton, Pa., to Columbus, Ohio, and Indianapolis, Ind. NOTE: Applicant states that the requested authority cannot be tacked to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y., or Washington, D.C.

No. MC 118263 (Sub-No. 40), filed November 30, 1970. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, IN 47131. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, GA 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant-site and warehouse facilities of Fischer Packing Co. (a division of Wilson Certified Foods, Inc.), at Louisville, Ky., to points in the States of Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Maryland (except Baltimore), Massachusetts (except Boston), Michigan, Minnesota, Missouri, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. The authority sought is restricted to traffic originating at the above-named plant-site and destined to the above-named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 118288 (Sub-No. 38) (Correction), filed November 19, 1970, published in the FEDERAL REGISTER issue of December 17, 1970, and republished in part, as corrected this issue. Applicant: STEPHEN F. FROST, Post Office Box 28, Billings, MT 59103. The sole purpose of

this partial republication is to show the correct Docket number as MC 118288 (Sub-No. 38), in lieu of (Sub-No. 28) erroneously published. The rest of the application remains as previously published.

No. MC 118642 (Sub-No. 3), filed November 19, 1970. Applicant: MOLLISON'S, INC., Belmont Avenue, Belfast, ME 04915. Applicant's representative: Raymond E. Jensen, 477 Congress Street, Portland, ME 04111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid (98 percent and 93.19 percent)* in bulk, in tank vehicles, from Delta Chemicals, Inc., at Searsport, Maine, to points in Cambridge, Salem, and Wilmington, Mass., under contract with Delta Chemicals, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland or Bangor, Maine.

No. MC 118959 (Sub-No. 93), filed November 23, 1970. Applicant: JERRY LIPS, INC., 130 South Frederick Street, Cape Girardeau, MO 63701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building material*, except commodities in bulk, between Chicago, Ill., and Florence, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Louisiana, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority in MC 125664, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Chicago, Ill.

No. MC 119176 (Sub-No. 8), filed December 4, 1970. Applicant: THE SQUAW TRANSIT COMPANY, a corporation, 6211 South 49th West Avenue, Post Office Box 9415, Tulsa, OK 74107. Applicant's representative: Joe G. Fender, 803 Houston First Savings Building, 711 Fannin Street, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution systems equipment and parts; liquid cooling and vapor condensing systems equipment and parts; environmental control and protective systems equipment and parts, equipment, materials and supplies used in the construction or installation of antipollution and environmental control and protective systems, and liquid cooling and vapor condensing systems; (1) between points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Tennessee, and Texas; and (2) between points named in (1) above, on the one hand, and, on the other, points in the United States (except Hawaii).* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla., or Houston or Dallas, Tex.

No. MC 119493 (Sub-No. 62) (Correction), filed October 15, 1970, published in the FEDERAL REGISTER issue of November 13, 1970, and republished in part as corrected this issue. Applicant: MONKEM COMPANY, INC., Post Office Box 1196, West 20th Street Road, Joplin, MO 64801. Applicant's representative: Ray F. Kemp (same address as applicant). NOTE: The sole purpose of this partial republication is to correct a portion of Item 2 to show from points on Arkansas and Verdigris Rivers in Oklahoma in lieu of in Arkansas and Verdigris Rivers in Oklahoma in the previous publication. The rest of the application remains as previously published.

No. MC 119493 (Sub-No. 64), filed November 20, 1970. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Post Office Box 1196, Joplin, MO 64801. Applicant's representative: Ray F. Kemp (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Insecticides*, in containers, other than agricultural, livestock and poultry feeders and equipment and premiums and advertising matter relating to such products when moved in mixed loads with animal and poultry feeds; (2) *sand and rock*; and (3) *flour*, (1) from plantsite of Moorman Manufacturing Co., at Quincy, Ill., to points in Arkansas, Kansas, Louisiana, Mississippi, Nebraska, Oklahoma, Tennessee, Texas, and Missouri; (2) from Galena, Kans., to points in Minnesota, Wisconsin, Montana, Wyoming, Colorado, New Mexico, Arizona, Nevada, California, and Utah; and (3) from Whitewater, Kans., to points in Alabama, Florida, Georgia, Kentucky, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119767 (Sub-No. 253), filed December 1, 1970. Applicant: BEAVER TRANSPORT CO., a corporation, Post Office Box 188, Pleasant Prairie, WI 53158. Applicant's representative: A. Bryant Torhurst, Post Office Box 186, Pleasant Prairie, WI 53158. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Danville, Ill., to points in Indiana and Kentucky. NOTE: Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 119774 (Sub-No. 18), filed December 4, 1970. Applicant: MARY ELLEN STIDHAM, N. M. STIDHAM, A. E. MANKINS (INEZ MANKINS, EX-

ECUTRIX), AND JAMES E. MANKINS, SR. a partnership, doing business as EAGLE TRUCKING COMPANY, Post Office Box 471, Kilgore, TX 75662. Applicant's representative: Joe G. Fender, 803 Houston First Savings Building, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution systems equipment and parts; liquid cooling and vapor condensing systems equipment parts; environmental control and protective systems equipment and parts; equipment, materials, and supplies used in the construction and installation of antipollution and environmental control and protective systems and liquid cooling and vapor condensing systems; (1) between points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nevada, New Mexico, Oklahoma, Tennessee, Texas, Utah, and Wyoming; and (2) between points named in (1) above, on the one hand, and, on the other, points in the United States (except Hawaii).* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla., Houston or Dallas, Tex.

No. MC 119880 (Sub-No. 44) (Clarification), filed October 28, 1970, published in the FEDERAL REGISTER issue of November 19, 1970, and republished as clarified this issue. Applicant: DRUM TRANSPORT, INC., Post Office Box 2056, East Peoria, IL 61611. Applicant's representative: Donald L. Stern, 630 National Bank Building, Omaha, NE 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pyridine-mixed picolines and 2-vinyl pyridine*, in bulk, in tank vehicles, from Indianapolis, Ind., to Elizabeth, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to more clearly set forth the commodity description. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 121162 (Sub-No. 8), filed November 16, 1970. Applicant: MORTON JOHN KAVANAUGH, JR., doing business as KAVANAUGH MOTOR FREIGHT, Ruston, LA. Applicant's representative: Don A. Smith, Post Office Box 43, Kelley Building, Fort Smith, AR 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment or injurious or contaminating to other lading); (1) between Shreveport, La., and Houston, Tex.; (a) from Shreveport over U.S. Highway 171 to junction Louisiana Highway 5 at or near Gloster, La.; thence over Louisiana Highway 5 to Logansport, La.; thence over U.S. Highway 84 to Tenaha, Tex.; and thence over U.S.*

Highway 59 to Houston, Tex., and return over the same route, serving all intermediate points; and (b) from Shreveport over Interstate Highway 20 to junction U.S. Highway 79 at or near Greenwood, La.; thence over U.S. Highway 79 to junction U.S. Highway 59 at or near Carthage, Tex.; thence over U.S. Highway 59 to junction U.S. Highway 84 at or near Tenaha, Tex.; thence over U.S. Highway 96 to Beaumont, Tex.; thence over U.S. Highway 69 to Port Arthur, Tex.; thence over Texas Highway 73 to junction Interstate Highway 10 at or near Winnie, Tex.; and thence over Interstate Highway 10 to Houston and return over the same route, serving all intermediate points; (2) between Shreveport, La., and Dallas, Tex., from Shreveport over U.S. Highway 80 to Dallas, serving all intermediate points between Shreveport, La., and Gladewater, Tex., inclusive;

(3) Between Shreveport, La., and Dallas, Tex.; from Shreveport over Interstate Highway 20 to Dallas, serving all intermediate points between Shreveport and junction Interstate Highway 20 and U.S. Highway 271; (4) between Tyler and Gladewater, Tex.; over U.S. Highway 271 serving all intermediate points; (5) between Tyler, Tex., and junction U.S. Highway 69 and Interstate Highway 20, from Tyler over U.S. Highway 69, serving no intermediate points and serving junction U.S. Highway 69 and Interstate Highway 20 as a point of joinder only; (6) between Tyler, Tex., and junction U.S. Highways 69 and 96, from Tyler over U.S. Highway 69 to junction U.S. Highway 96, serving no intermediate points, but serving junction U.S. Highways 69 and 96 as a point of joinder only, and serving Lufkin, Tex., as a point of joinder only; (7) between Beaumont, Tex., and junction Interstate Highway 10 and Texas Highway 73, from Beaumont over Interstate Highway 10 to junction Texas Highway 73, serving junction Interstate Highway and Texas Highway 73 as a point of joinder only; (8) between Shreveport, La., and Beaumont, Tex., from Shreveport over U.S. Highway 171 to junction Interstate Highway 10 at or near Lake Charles, La., and thence over Interstate Highway 10 to Beaumont and return over the same route, serving all intermediate points between Shreveport and De Ridder, La., the off-route point of the Boise Cascade plantsite at or near De Ridder, La., and intermediate points of Lake Charles, La., and Orange, Tex.; (9) between Orange and Port Arthur, Tex., from Orange over Texas Highway 87, serving no intermediate points; (10) between Lake Charles and Alexandria, La., from Lake Charles over Interstate Highway 10 to junction U.S. Highway 165 at or near Iowa, La.; thence over U.S. Highway 165 to Alexandria, La., and return over the same route, serving no intermediate points, but serving the off-route point of Alpine City, La.;

(11) Between Alexandria and Leesville, La., over Louisiana Highway 28, serving no intermediate points; (12) between Monroe, La., and Jackson, Miss.,

over U.S. Highway 80, serving the intermediate points of Vicksburg, Miss., and serving the off-route points of Cedars and Redwood, Miss.; (13) between Jackson and Natchez, Miss., from Jackson over U.S. Highway 51 to junction Louisiana Highway 28; thence over U.S. Highway 28 to junction U.S. Highway 61, thence over U.S. Highway 61 to Natchez, and return over the same route, serving no intermediate points; (14) between Ruston and Jonesboro, La., from Ruston over U.S. Highway 167, serving all intermediate points; (15) between Ruston and Bernice, La., over U.S. Highway 167, serving all intermediate points; (16) between Jonesboro and Packton, La., over U.S. Highway 167, serving Winnifield, La., only as an intermediate point; (17) between Packton and Georgetown, La., over Louisiana State Highway 500, serving all intermediate points; (18) between Georgetown and Ferriday, La., from Georgetown over Louisiana State Highway 500 to junction U.S. Highway 84 at or near Trout, La., thence over U.S. Highway 84 to Ferriday, and return over the same route, serving all intermediate points; (19) between Ferriday and Vidalia, La., from Ferriday over U.S. Highway 65-84, serving all intermediate points; (20) between Rhinehart, La., and junction U.S. Highway 84 and Louisiana State Highway 8, over Louisiana State Highway 8, serving all intermediate points; (21) between Trout and Pineville, La., from Trout over Louisiana State Highway 8 to Pollack, thence over U.S. Highway 165 to Pineville, and return over the same route, serving all intermediate points; (22) between Shreveport and Springhill, La., from Shreveport over Louisiana State Highway 3 to Plain Dealing, thence over Louisiana State Highway 157 to Springhill, and return over the same route, serving no intermediate points;

(23) between Ruston and Monroe, La., from Ruston over U.S. Highway 80 or Interstate Highway 20 to Monroe, serving West Monroe only as an intermediate point; (24) between Ruston and Homer, La., from Ruston over U.S. Highway 80 to Arcadia, thence over Louisiana State Highway 9 to junction of U.S. Highway 79 near Homer, thence over U.S. Highway 79 to Homer and return over the same route, serving Arcadia for purposes of joinder only and serving no intermediate points; (25) between Arcadia and Minden, La., over U.S. Highway 80, serving no intermediate points; (26) between Shreveport and Junction City, Ark.-La., from Shreveport over U.S. Highway 79-80 to Minden, thence over U.S. Highway 79 to Homer, thence over Louisiana State Highway 9 to Junction City Arkansas-Louisiana, and return over the same route, serving all intermediate points; (27) between Homer and Arkansas-Louisiana State line at or near State line Louisiana, over U.S. Highway 79, serving all intermediate points; (28) between Homer and Dubach, La., from Homer over Louisiana State Highway 2 to junction Louisiana Highway 152 and Louisiana Highway 2, thence over Louisiana Highway 152 to Dubach and return over

the same route, serving all intermediate points; (29) between Homer and Bernice, La., over Louisiana Highway 2, serving all intermediate points; and

(30) Between the junction of U.S. Highway 80 and Louisiana Highway 157 via Haughton, Doyline and Sibley to Minden, La., from junction U.S. Highway 80 and Louisiana Highway 157 to junction Louisiana Highways 157 and 164, thence over Louisiana Highway 164 via Haughton and Doyline to Sibley, thence over Louisiana Highway 7 to Minden and return over the same route, serving all intermediate points and the off-route points within the Government Reservation at or near the route here described. Note: Applicant states that it presently holds certificates of registration in Docket No. MC 121162 and subs thereunder, a portion of the authority here sought duplicates said certificates of registration. The authority here sought is duplicated by the certificate of registration in this application in the descriptions designated as numbered 16 through 30, inclusive. Additional authority is also sought in the enumerated paragraphs in that the instances where commercial zones would extend into adjoining States, applicant desires that extension. Also, applicant has described the routes to conform to the Commission's requirements, and this differs from the descriptions now in said certificates of registration. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 124078 (Sub-No. 466), filed December 3, 1970. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, WI 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, in tank vehicles, from Albany, Ga., to points in Alabama and Florida. Note: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 124796 (Sub-No. 79), filed November 27, 1970. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 1505 East Salt Lake Avenue, Post Office Box 1257, City of Industry, CA 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles*, from Duncan and Simpsonville, S.C., to points in the United States, west of the Mississippi River and the western boundaries of Itasca and Koochiching Counties, Minn., except points in Alaska and

Hawaii; (2) plastic products, bone guard cloth and aluminum clips, from Cedar Rapids, Iowa, to points in the United States, except Alaska and Hawaii; and (3) returned shipments, and materials, equipment and supplies utilized in the manufacture, sale, and distribution of plastic products, bone guard cloth and aluminum clips, in the reverse direction, all restricted against commodities in bulk, or those which by reason of size or weight require the use of special equipment. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 124878 (Sub-No. 5), filed December 2, 1970. Applicant: LAPADULA AIR FREIGHT TRANSFER, INC., 149-04 New York Boulevard, Jamaica, NY 11434. Applicant's representatives: Edward M. Alfano and John L. Alfano, 2 West 45th Street, New York, NY 10036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, except classes A and B explosives and commodities in bulk, between J. F. Kennedy International Airport at New York, NY, Newark Municipal Airport at Newark, NJ, Logan International Airport at Boston, MA, Hancock Airport at Syracuse, NY, and International Airport at Windsor Locks, CT, restricted to shipments having an immediately prior or immediately subsequent movement by air. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125808 (Sub-No. 5), filed November 27, 1970. Applicant: AAACON AUTO TRANSPORT INC., 147 West 42d Street, New York, NY 10036. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Repossessed, stolen or abandoned used passenger automobiles moving to automobile dealers, in driveway service, in secondary movements, with or without baggage, personal effects, and sporting equipment, between points in the United States, including Alaska and excluding Hawaii, restricted against transportation from plantsites of automobile manufacturers and from rail heads. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 126032 (Sub-No. 2), filed November 13, 1970. Applicant: GRAY TRUCK COMPANY, a corporation, 4280 Bandini Boulevard, Los Angeles, CA 90023. Applicant's representative: Alan Phillips (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Epoxy curing agents; polyvinyl acetate emulsions; paint emulsions; alkyd resin; epoxy resin; polyester resin; varnish; paint plasticizer; in bulk, by tank vehicle, from points in Los Angeles County to the port

of entry on the international boundary line between the United States and Mexico located at San Ysidro, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 126537 (Sub-No. 24), filed November 23, 1970. Applicant: KENT I. TURNER, KENNETH E. TURNER, and ERVIN L. TURNER, a partnership, doing business as TURNER EXPEDITING SERVICE, Post Office Box 21333, Standiford Field, Louisville, KY 40221. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, KY 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plantsite of American Greetings Corp. near Danville, Ky., on the one hand, and, on the other, Philadelphia, Pa., New York, N.Y., and Cleveland, Ohio. NOTE: Applicant states that it would tack at the plantsite of American Greetings Corp. in order to provide through service between O'Hare Field, Chicago, Ill., and Standiford Field, Louisville, Ky., and those points sought herein. Applicant holds contract carrier authority under MC 129652, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Cleveland, Ohio.

No. MC 126899 (Sub-No. 40), filed December 7, 1970. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, Paducah, KY 42001. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, KY 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Malt beverages, in containers, and related advertising material, from Detroit, Mich., to Owensboro, Ky., and Paducah, Ky., and empty malt beverage containers, from Owensboro, Ky., and Paducah, Ky., to Detroit, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Evansville, Ind.

No. MC 127834 (Sub-No. 60), filed November 23, 1970. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, TN 37203. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, KY 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Aluminum, aluminum articles, and carbon electrodes, from Lake Charles, La., to points in New Mexico, Colorado, Nebraska, South Dakota, North Dakota, and all points east thereof. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., Frankfort or Louisville, Ky.

No. MC 127870 (Sub-No. 1), filed November 30, 1970. Applicant: ROGER LAVOIE, 32 Union Street, Coaticook, PQ Canada. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dressed lumber, between ports of entry on the international boundary line between the United States and Canada located at or near Champlain and Ogdensburg, N.Y., and Norton Mills, Derby Line, and Richford, Vt., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Maryland, New York, New Jersey, and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt., or Albany, N.Y.

No. MC 128215 (Sub-No. 5), filed November 4, 1970. Applicant: MARTIN TRAILER TOTERS, INC., a corporation, 4038 Jefferson Highway, New Orleans, LA 70121. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, LA 70130. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Modular houses, from points in Hancock County, Miss., to points in Alabama, Arkansas, Louisiana, Mississippi, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 128250 (Sub-No. 2), filed November 27, 1970. Applicant: EUGENE NANNEY, 827 Harvard Road, Sikeston, MO 63801. Applicant's representative: Kenneth L. Dement, 310 West North Street, Sikeston, MO 63801. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Beer in kegs, bottles, and cans, from Peoria, Ill., and Evansville, Ind., to Sikeston and Poplar Bluff, Mo., under contract with Bess Supply Co. of Sikeston, Mo., Bluff City Beer & Produce Co. of Poplar Bluff, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cape Girardeau, or St. Louis, Mo.

No. MC 128355 (Sub-No. 5), filed November 23, 1970. Applicant: HURLIMAN TRUCKING COMPANY, a corporation, Post Office Box 17204, Portland, OR 97217. Applicant's representative: White & Southwell, 2400 Southwest Fourth Avenue, Portland, OR 97201. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Shot, iron or steel, not ammunition, from Elkhart and Mishawaka, Ind., and points in Cuyahoga County, Ohio, to points in Idaho, Montana, Oregon, Washington, and Wyoming, under contract with The Wheelabrator Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 129588 (Sub-No. 5), filed November 23, 1970. Applicant: R. J. [RED] ANDREWS, doing business as R. J. [RED] ANDREWS TRUCK LINE, Post

Office Box 4, Corsicana, TX 75110. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, TX 75224. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and fittings*, from Corsicana, Tex., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Tennessee, and Texas, under contract with Nipak, Inc. Note: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 129759 (Sub-No. 2), filed December 2, 1970. Applicant: TRIANGLE TRUCKING CO., a corporation, 936 West Carlisle Street, Martins Ferry, OH 43935. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pipe, tubing, conduit, cable, and strip steel*, from Glendale, W. Va., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, Wisconsin, and the District of Columbia; and (2) *cable, wire, rods, pipe, tubing, and pipe or tubing fittings and component parts*, from New Brunswick, South Brunswick and South Plainfield, N.J., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, West Virginia, and Wisconsin; and (3) *commodities* used in manufacturing, processing and shipping the items named in (1) and (2) above, from points in the destination States named in (1) and (2) above, to Glendale, W. Va., and New Brunswick, South Brunswick, and South Plainfield, N.J., restricted to traffic performed under a continuing contract or contracts with Triangle Conduit & Cable Co., Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 133106 (Sub-No. 5), filed December 2, 1970. Applicant: NATIONAL CARRIERS, INC., 1501 East Eighth Street, Liberal, KS 67901. Applicant's representative: Charles J. Kimball, 300 N.S.E.A. Building, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs and animal food*, from points in Merced, Santa Clara, Alameda, Contra Costa, Los Angeles, and San Benito Counties, Calif., to points in Colorado, New Mexico, Nebraska, Kansas, Oklahoma, Texas, Missouri, and Illinois, under contract with National Can Corp., its divisions and subsidiaries. Note: If a hearing is deemed necessary, applicant requests it be held at San Francisco or Wichita, Kans.

No. MC 133651 (Sub-No. 1), filed November 23, 1970. Applicant: DENRU TRUCKING CO., INC., 806 South 13th

Street, Newark, NJ 07108. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Processed meats*, in vehicles equipped with mechanical refrigeration, from the plantsite of Cameco, Inc., at Verona, N.J., to points in Connecticut, Massachusetts, and Rhode Island, restricted to a transportation service to be performed under a contract or continuing contract with Cameco, Inc., of Verona, N.J. Note: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 134323 (Sub-No. 9), filed November 30, 1970. Applicant: JAY LINES, INC., Post Office Box 1644, 6210 River Road, Amarillo, TX 79109. Applicant's representative: Duane W. Ackle, 521 South 14th Street, Post Office Box 806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Magazines and periodicals*, from the Cuneo Eastern Press, Inc., plantsite facilities utilized by Hearst Magazines Division of the Hearst Corp., at Philadelphia, Pa., to points in Arizona, California, Colorado, Louisiana, Missouri, Montana, Oklahoma, Texas, Oregon, Utah, Washington, and Memphis, Tenn., under continuing contract with Hearst Magazines Division of the Hearst Corp. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Lincoln, Nebr., or Amarillo, Tex.

No. MC 134323 (Sub-No. 10), filed November 30, 1970. Applicant: JAY LINES, INC., Post Office Box 1644, 6210 River Road, Amarillo, TX 79109. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Post Office Box 806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dated, printed publications*, from the warehouse and storage facilities utilized by Magazine Shippers Association, Inc., at or near Bridgeport, Conn., to the States of Louisiana, Missouri, Illinois, Minnesota, Wisconsin, Iowa, Nebraska, Kansas, Oklahoma, Texas, Colorado, Utah, New Mexico, Arizona, California, Oregon, and Washington. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Bridgeport, Conn., Lincoln, Nebr., or Amarillo, Tex.

No. MC 134405 (Sub-No. 2), filed November 20, 1970. Applicant: BACON TRANSPORT COMPANY, a corporation, Post Office Box 1134, Ardmore, OK 73401. Applicant's representative: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and petroleum oil residuum*, from Kilgore, Tex., to points in Oklahoma on the east of Interstate

Highway 35 and on and south of Interstate Highway 40. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 134599 (Sub-No. 5), filed December 2, 1970. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, Post Office Box 16407, Stockyards Station, Denver, CO 80216. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery, and advertising and display materials* when moving in the same vehicle and at the same time with candy and confectionery; (1) from Sulphur Springs, Tex., to Centralia and Ashley, Ill., and points in Alabama, Georgia, Florida, Kentucky, Tennessee, North Carolina, South Carolina, Virginia, and West Virginia; (2) from Centralia and Ashley, Ill., and points in Virginia, West Virginia, North Carolina, South Carolina, Tennessee, Kentucky, Louisiana, Oklahoma, Texas, Mississippi, Alabama, Georgia, and Florida; and (3) from Montgomery, Ala., to points in Georgia, Florida, and South Carolina, under continuing contract with Hollywood Brands Division, Consolidated Foods Corp. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Lincoln, Nebr.

No. MC 134631 (Sub-No. 5), filed December 7, 1970. Applicant: SCHULTZ TRANSIT, INC., Post Office Box 503, 323 East Bridge, Winona, MN 55987. Applicant's representative: Eugene A. Schultz (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Radio, phonograph and stereo cabinets, record changer bases, and speaker boxes*, without mechanisms, from Winona and Red Wing, Minn., to Los Angeles, Calif. Note: Applicant holds common carrier authority under MC 118202. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 134698 (Sub-No. 2), filed November 30, 1970. Applicant: CHARLES GLEN SMELCER, doing business as SMELCER TRUCKING COMPANY, 232 Berkley Circle, Lewisburg, TN 37091. Applicant's representative: Charles Glen Smelcer (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Shirt cloth*, from Lewisburg, Tenn., to York, Ala.; and (2) *shirts*, from York, Ala., to Lewisburg, Tenn., under contract with Lewisburg Sportswear, Inc. Note: Applicant states that no duplicating authority is sought. If a hearing is deemed

necessary, applicant does not specify location.

No. MC 134477 (Sub-No. 7), filed December 3, 1970. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Applicant's representative: Paul Schanno (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles* distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Fargo and West Fargo, N. Dak., and from points in the Sioux City, Iowa, commercial zone to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis and St. Paul, Minn., Chicago, Ill., or Fargo, N. Dak.

No. MC 134863 (Sub-No. 1), filed December 4, 1970. Applicant: FLEETWAY TRANSPORTATION, DIVISION OF WAINOCO OIL AND CHEMICALS LTD., 1900 11th Street, SE., Calgary 21, AB Canada. Applicant's representative: J. F. Meglen, Post Office Box 1581, Billings, MT 59103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Soda ash*, in bulk, in pneumatic and dump-type vehicles, from Alchem, Wyo., to ports of entry on the international boundary line between the United States and Canada located at or near Sweetgrass and Wild Horse, Mont., under contract with Allied Chemical Canada, Ltd., Montreal 102, PQ Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 134955 (Sub-No. 2), filed November 30, 1970. Applicant: ROBERT WELLS, 1369 West 7900 South, West Jordan, Utah 84047. Applicant's representative: Irene Warr, Suite 419, Judge Building, Salt Lake City, UT 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Houses and buildings*, set up or in sections other than knocked down flat, and not including mobile homes or buildings designed for towaway service, between points in Utah, Idaho, Wyoming, Colorado, Arizona, New Mexico, and Nevada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 134968 (Sub-No. 1) (Amendment), filed November 16, 1970, published in the FEDERAL REGISTER issue of December 10, 1970, and republished as amended this issue. Applicant: BERT F. JONES, doing business as MITEY BEE XPRESS, 12060 Sable Road, Brighton, CO 80601. Applicant's repre-

sentative: Ruth A. Kirkland, The 1650 Grant Street Building, Denver, CO 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cleaning compounds*, except in bulk, from Denver, Colo., Omaha, Nebr., and Amarillo, Tex., to points in the United States (except Alaska, Hawaii, Vermont, Maine, New Hampshire, Rhode Island, and Delaware) and (2) and on return *chemicals and containers* used in the preparation and distribution of cleaning compounds from all points in the United States except Alaska, Hawaii, Vermont, Maine, New Hampshire, Rhode Island, and Delaware to Denver, Colo., under contract with Birko Chemical Corp. NOTE: The purpose of this republication is to reflect (2) above. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 135033 (Correction), filed October 21, 1970, published in the FEDERAL REGISTER issue of November 19, 1970, and republished as corrected this issue. Applicant: SILVEY & COMPANY, a corporation, South Omaha Bridge Road, Council Bluffs, Iowa 51501. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, NE, 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: *Commodities* dealt in by J. L. Brandeis & Sons, Inc., from points in Alabama, Connecticut, Delaware, Georgia, Kentucky, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Ohio, to Omaha, Nebr., restricted to traffic destined to the distribution warehouse owned by said company at Omaha, Nebr., and moving under contract with J. L. Brandeis & Sons, Inc. NOTE: Applicant holds common carrier authority in MC 125951 and subs therefore dual operations may be involved. The purpose of this republication is to show the restriction as "restricted to traffic destined to the distribution warehouse owned by said company at Omaha, Nebr.," in lieu of destination warehouse. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 135063 (Sub-No. 2), filed December 2, 1970. Applicant: TRIPLE C ENTERPRISES, LTD., a corporation, 1148 Ninth Avenue NE., Moose Jaw, SK Canada. Applicant's representative: Calvin A. Calton, Room 805, Midland Bank Building, Billings, MT 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron and scrap metal*, from all points and places in the States of North Dakota, Montana, South Dakota, and Wyoming to ports of entry on the international boundary line between the United States and Canada in the States of Montana and North Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points

or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 135105, filed November 19, 1970. Applicant: BREWER'S LEASING INC., 5718 Russell Street, Detroit, MI 48211. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, Detroit, MI 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and advertising and sales promotion materials*, when moving in the same vehicle, from Newark, N.J.; Columbus, Ohio; and St. Louis, Mo.; to Detroit, Mich., under contract with United Wholesale Beverages, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 135110, filed November 13, 1970. Applicant: WOOD'S TRUCKING COMPANY LIMITED, a corporation, 50 Church Street, Weston, ON Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, which because of size or weight, require use of special equipment, from ports of entry on the United States-Canada boundary line to points in Pennsylvania, New York, Ohio, and Michigan. Restriction: The operations sought herein shall be restricted to traffic originating in Canada and destined to points in the United States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 135115 (Sub-No. 1), filed November 27, 1970. Applicant: PROVINCIAL OIL CARRIERS CO., LTD., 6360 Notre Dame Street East, Montreal, PQ, Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York, NY 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oils, liquid asphalt, and gasoline*, in bulk, in tank vehicles, from ports of entry on the international boundary line between the United States and Canada located in New York, New Hampshire, Vermont, and Maine, to points in New York, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Plattsburgh, N.Y.

No. MC 135135, filed November 16, 1970. Applicant: DELANO KURTZ, doing business as MINOT FERTILIZER AND STORAGE CO., Post Office Box 225, Minot, ND 58701. Applicant's representative: R. W. Wheeler, Post Office Box 1, Bismarck, ND 58501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Sioux Falls, S. Dak., to points in North

Dakota on and west of U.S. Highway 281, under contract with G. T. A. Feed, Minot, N. Dak. Note: If a hearing is deemed necessary, applicant requests it be held at Minot or Bismarck, N. Dak.

No. MC 135136, filed November 17, 1970. Applicant: ELMER B. NOBEL, doing business as BEAVERBROOK MOTORS, 1253 Black Horse Pike, Runnemeade, NJ 08078. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue NW., Suite 600, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or disabled vehicles, replacement vehicles for wrecked and disabled vehicles, stolen and repossessed vehicles, and passengers of wrecked or disabled vehicles*, between points in New Jersey, on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New York, New Jersey, Pennsylvania, Virginia, and the District of Columbia. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135138, filed November 24, 1970. Applicant: COSTIN AIRFREIGHT SERVICE, INC., Post Office Box 761, New Bern, NC 28560. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between airports located at or near Kinston, New Bern, and Jacksonville, N.C., on the one hand, and, on the other, points in North Carolina on and east of Interstate Highway 95, restricted to traffic having a prior or subsequent movement by air. Note: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 135140, filed November 24, 1970. Applicant: WALTER O. TREANOR, doing business as TREANOR TRANSPORTATION CO., Post Office Box 68, South Pasadena, CA. Applicant's representatives: Walter O. Treanor, 4423 Fairpoint Road, Pasadena, CA 91107, and E. J. Caldecott, 1 Wilshire Building, Suite 2204, Wilshire at Grand, Los Angeles, CA 90017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper bags and paper products*, from Los Angeles, Calif., to points in Nevada and Arizona, under contract with St. Regis Paper Co. Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 135147, filed November 30, 1970. Applicant: WILLIAM O. HINES, Rural Route No. 2, Unionville, MO 63565. Applicant's representative: Thomas P. Rose, Jefferson Building, Jefferson City, MO 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road construction materials and building supplies*, in bulk, in dump vehicles, between points in Putnam, Schuyler, Adair, and Sullivan Counties, Mo., on the one hand, and points in Appanoose, Davis, Wayne, Monroe, and Wapello Counties, Iowa, on the

other hand. Note: If a hearing is deemed necessary, applicant requests it be held at Des Moines or Ottumwa, Iowa.

No. MC 135148, filed November 30, 1970. Applicant: MARTIN R. NEUMANN, doing business as SWANSON FUEL, 157 South Vista Way, Kelso, WA 98626. Applicant's representative: Russell M. Allen, 1200 Jackson Tower, 806 South-west Broadway, Portland, OR 97205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood residuals*, from Kalama, Wash., to points in Clackamas and Columbia Counties, Oreg., under contract with Boise Cascade Corp. and Forest Utilization, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 161), filed November 27, 1970. Applicant: GREY-HOUND LINES, INC., 1400 West Third Street, Cleveland, OH 44113. Applicant's representative: Barrett Elkins (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and express and newspapers in the same vehicle with passengers, between Harrisburg, Pa., and Pittsburgh, Pa.: From Harrisburg over U.S. Highway 11 to Middlesex, Pa., thence over the Pennsylvania Turnpike to Irwin, Pa., and thence over U.S. Highway 30 to Pittsburgh, and return over the same route, serving the intermediate and off-route points of Somerset, Somerset Interchange, Middlesex, Irwin, Wilkinsburg, Carlisle, Bedford, Irwin Interchange, New Stanton Interchange, Donegal Interchange, Laurel Hill Tunnel, Allegheny Tunnel, New Baltimore, Bedford Interchange, Midway, Breezewood Interchange, Rays Hill Tunnel, Siding Hill Tunnel, Fort Littleton Interchange, Tuscarora Mountain Tunnel, Willow Hill Interchange, Kittatinny Mountain Tunnel, Blue Mountain Tunnel, Blue Mountain Interchange, Carlisle, Middlesex Interchange, New Kingston, Hogestown, Sporting Hill, Camp Hill, and Lemoyne, Pa. Restriction: Said carrier shall not transport passengers to or from Somerset or Somerset Interchange, who originate at or are destined to points west of Pittsburgh. Note: Applicant presently holds authority as contained in MC 1501 Sub-No. 92 (renumbered MC 1515, Sub-No. 8), Sheet 8, for the above authority. This application seeks to remove the above restriction from applicant's certificated authority. If a hearing is deemed necessary, applicant requests it be held at Somerset, Pa.

No. MC 109802 (Sub-No. 30), filed November 20, 1970. Applicant: LAKELAND BUS LINES, INC., East Blackwell Street, Dover, NJ 07801. Applicant's representatives: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102, and Bernard F. Flynn, Jr. (same address as applicant). By this instant application, applicant seeks authority to continue its operation over its certificated routes in the transportation of *passengers and their baggage*, between the Borough of Manhat-

tan, N.Y., on the one hand, and the municipalities in New Jersey into and through which it is authorized to serve in the picking up and dropping off of passengers and their baggage, between those municipalities, on the one hand, and New York, N.Y., on the other, and in this operation to pick up and deliver passengers on all streets, roads, and highways in the municipalities presently certificated to be served under applicant's existing authority. These municipalities, to be specific are: Town of Boonton, N.J.; Town of Dover, N.J.; Parsippany-Troy Hills Township, N.J.; Sparta Township, N.J.; Netcong Borough, N.J.; Mount Olive Borough, N.J.; Washington Township, N.J.; Morris Plains Township, N.J.; Montville Township, N.J.; Lincoln Park Borough, N.J.; Rockaway Borough, N.J.; Rockaway Township, N.J.; Jefferson Township, N.J.; Mine Hill Borough, N.J.; Roxbury Township, N.J.; Borough of Wharton, N.J.; and Town of Hackettstown, N.J. Note: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicate authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 134942 (Sub-No. 2), filed November 27, 1970. Applicant: INTERSTATE LIMOUSINES LTD., 711 Munsey Building, 7 North Calvert Street, Baltimore, MD 21202. Applicant's representative: William J. Little, 1513 Fidelity Building, Baltimore, MD 21201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in *charter operations*, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof. Between Baltimore, Md., and points in Anne Arundel, Baltimore, Howard, and Harford Counties, Md., on the one hand, and, on the other hand, points in Delaware, New Jersey, Pennsylvania, New York, Virginia, West Virginia, and the District of Columbia; *Irregular routes*: (2) *Passengers and their baggage* in the same vehicle with passengers, in *special operations*, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver, thereof, (a) between Baltimore, and points in the Baltimore commercial zone and terminal area, as defined by the Commission, on the one hand, and, on the other hand, Philadelphia International Airport, Philadelphia, PA, La Guardia Airport, John F. Kennedy International Airport, New York, NY, Dulles International Airport, Chantilly, Washington National Airport, VA, except no transportation is authorized between Friendship International Airport, near Linthicum, MD, on the one hand, and, on the other hand, Washington National Airport, VA, and (b) between Baltimore, Md., and points in the Baltimore commercial zone and terminal area, on the one hand, and, on the other hand, points and places in the New York, New York

commercial zone and terminal area, restricted to transportation of persons having an immediately prior or immediately subsequent movement by water. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md.

**APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED**

No. MC 109216 (Sub-No. 12), filed November 30, 1970. Applicant: RELIABLE DELIVERY SERVICE, INC., 7701 East Rosecrans Boulevard, Paramount, CA 90723. Applicant's representative: Murchison & Davis, Donald Murchison, 9454 Wilshire Boulevard, Suite 400, Beverly Hills, CA 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (a) between points on and within 5 miles laterally of Interstate Highway 10 (U.S. Highway 99) and California Highway 86 between the easterly limits of the Los Angeles Basin Territory and Imperial County line; and (b) between points on and within 5 miles laterally of California Highway 111 between its intersection with Interstate Highway 10 (U.S. Highway 99) at Whitewater and Imperial County line, all in connection with applicant carrier's presently authorized regular route operations.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-17267; Filed, Dec. 23, 1970;  
8:45 a.m.]

[Notice 214]

**MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS**

DECEMBER 18, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the

Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

**MOTOR CARRIERS OF PROPERTY**

No. MC 30837 (Sub-No. 416 TA), filed December 10, 1970. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Mailing: Post Office Box 160, 53141, Kenosha, WI 53140. Applicant's representative: Albert P. Barber (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *All terrain vehicles*, set up, in initial movements, in truckaway service, from Bradley, Ill., to points within the United States (except Hawaii) and the return of *damaged, rejected, undeliverable, and repossessed vehicles*, from points in the United States to Bradley, Ill., for 180 days. Supporting shipper: Sears, Roebuck and Co., Chicago, Ill. (A. W. Phillips, Department 754). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 112520 (Sub-No. 229 TA), filed December 11, 1970. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, FL 32302. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil*, in bulk, from Bay Harbor, Fla., to Mobile, Ala., for 180 days. Supporting shipper: International Paper Co., Post Office Box 2328, Mobile, AL 36601. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 118706 (Sub-No. 3 TA), filed December 9, 1970. Applicant: JOE L. RUHL, 128 Norvel Street, Sikeston, MO 63801. Applicant's representative: Gene R. Yokley, 215 North Stoddard Street, Sikeston, MO 63801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Crushed stones and road construction materials*, from Lawrence County, Ark., to Dunklin County, Mo., over U.S. Highway 63 to U.S. Highway 25 in Dunklin County, for 180 days. Supporting shipper: Missouri Petroleum Products, Co., 1620 Woodson Road, St. Louis, MO 63114. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, MO 63101.

No. MC 120836 (Sub-No. 7 TA), filed December 10, 1970. Applicant: BARTON LYMAN, doing business as LYMAN TRUCK LINE, Post Office Box 377, Blanding, UT 84511. Applicant's representative: William S. Richards, Walker Bank Building, Salt Lake City, UT 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value,

household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Flagstaff and Phoenix, Ariz., and the Phoenix, Ariz., commercial zone as follows, from Phoenix, Ariz., over Arizona Highway 69 to junction of Arizona Highway 79, thence over Arizona Highway 79 (Interstate 17) to Flagstaff, Ariz., and return over the same route. Note: Applicant requests negation of tacking and interlining restrictions, when it intends to tack with authority sought in Docket No. MC 120836 and Subs 7, for 180 days. Supporting shipper: H. Lynn Davis, General Traffic Manager, IML Freight, Inc., 2175 South 3270 West, Post Office Box 2277, Salt Lake City, UT 84110. Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5239 Federal Building, Salt Lake City, UT 84111.

No. MC 128381 (Sub-No. 4 TA), filed December 10, 1970. Applicant: BLUE EAGLE LINES, INC., Post Office Box 446, Highland Park, IL 60035. Applicant's representative: Stephen L. Jennings, Seyfarth, Shaw, Fairweather & Geraldson, 111 West Jackson Boulevard, Chicago, IL 60604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Firefighting equipment and parts and equipment materials and supplies* used in the manufacture, installation, and repair thereof (a) from Northbrook, Ill., to Fort Lauderdale and Miami, Fla.; (b) from Atlanta, Ga., to Fort Lauderdale and Miami, Fla., for 180 days. Supporting shipper: General Fire Extinguisher Corp., 1685 Shermer Road, Northbrook, IL 60062. Send protests to: William J. Gray, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 135045 (Sub-No. 1 TA) (Correction), filed November 11, 1970, published FEDERAL REGISTER issues of November 21, 1970, and December 10, 1970, respectively, corrected and republished as corrected this issue. Applicant: BERTSCH TRUCKING, INC., Box 15, Hillsboro, ND 58045. Applicant's representative: Philip W. Getts, 630 Osborn Building, St. Paul, MN 55102. NOTE: The purpose of this republication is to reflect that Neche and Pembina are located in North Dakota, and not South Dakota as was published in error, in previous publication.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-17355; Filed, Dec. 23, 1970;  
8:49 a.m.]

[Notice 215]

**MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS**

DECEMBER 21, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate

Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 67118 (Sub-No. 19TA), filed December 15, 1970. Applicant: STRONG MOTOR LINES, INCORPORATED, Post Office Box 8821, Chuckatuck Avenue and Old Midlothian Pike, Richmond, VA 23225. Applicant's representative: John C. Goodin, 200 West Grace Street, Richmond, VA 23220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles, distributed by meat packinghouses*, from the plantsites and facilities of Hygrade Food Products Corp., Philadelphia, Pa., to Baltimore, Md., for partial unloading with the balance continuing on to one or more of the destination points embraced in applicant's Sub 16 TA authority, for 150 days. Supporting shipper: Hygrade Food Products Corp., 11801 Mack Avenue, Detroit, MI 48214. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, VA 23240.

No. MC 110988 (Sub-No. 259 TA), filed December 15, 1970. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, WI 54956. Applicant's representative: David A. Petersen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, in bulk, in tank vehicles, from Neenah, Wis., to points in Minnesota, Ohio, Pennsylvania, and Tennessee, for 180 days. Supporting shipper: Galloway Co., 601 South Commercial Street, Neenah, WI 54956 (Richard P. Galloway, President). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 110988 (Sub-No. 260 TA), filed December 15, 1970. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, WI 54956. Applicant's

representative: David A. Petersen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric acid*, in bulk, in tank vehicles, from Milwaukee, Wis., to Denver, Colo., for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, MO 63166 (R. W. Bradshaw, Supervisor, Bulk Truck Transportation). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 111103 (Sub-No. 32 TA), filed December 15, 1970. Applicant: PROTECTIVE MOTOR SERVICE COMPANY, INC., 725-29 South Broad Street, Philadelphia, PA 19147. Applicant's representative: Charles E. Cole (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Precious, semiprecious, and nonprecious metals*, scrap or in bullion, strip, sheet or coil, *finished and semifinished mint stamping, blanks or products and related components of unusual value, jewelry findings, dies, collars, and hubs*; (2) *mint stampings and metal articles*, comprising commemorative coins, art and religious medals, coins, currency, coins of the realm, tokens, medallions, coin blanks, ingots, plaques, plates and jewelry made of precious, semiprecious and nonprecious metals and alloys or combinations of foregoing metals, between the Franklin Mint, Franklin Center, Pa., on the one hand, and, on the other, Atlanta, Ga.; Baltimore, Md.; Boston, Mass.; Carteret, N.J.; Chicago, Ill.; Denver, Colo.; Fairfield, Conn.; Kellogg, Idaho; Los Angeles, Calif.; Mount Vernon, N.Y.; Newark, N.J.; New York, N.Y.; Perth Amboy, N.J.; Philadelphia, Pa.; Wallace, Idaho; Washington, D.C.; Niagara Falls, N.Y.; Rouses Point, N.Y.; for 180 days. Supporting shipper: The Franklin Mint, Franklin Center, PA 19063. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 116063 (Sub-No. 122 TA), filed December 15, 1970. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road 76106, Post Office Box 270, Fort Worth, TX 76101. Applicant's representative: W. H. Cole (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible, liquid animal blood*, in bulk, in tank vehicles, from Kansas City, Kans., to Omaha, Nebr., for 180 days. Supporting shipper: Wilson Certified Foods, Inc., 4545 Lincoln Boulevard, Oklahoma City, OK 73105. Send protests to: H. C. Morrison, Sr., Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 9A27 Federal Building, 819 Taylor Street, Fort Worth, TX 76102.

No. MC 11722 (Sub-No. 23 TA), filed December 15, 1970. Applicant: BRADER HAULING SERVICE, INC., Post Office Box 655, Zillah, WA 98953. Applicant's

representative: Ronald R. Brader (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides*, green or salted, from Union Gap, Wash., to Seattle, Tacoma, and Vancouver, Wash., for export; to Portland, Oreg., and to points in Napa, San Francisco, and San Mateo Counties, Calif., for 180 days. Supporting shipper: Elliott Hide Co., 130 North Wells Street, Chicago, IL 60606. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, OR 97204.

No. MC 117370 (Sub-No. 19 TA), filed December 15, 1970. Applicant: STAFFORD TRUCKING, INC., 2155 Hollyhock Lane, Box 403, Elm Grove, WI 53122. Applicant's representative: Reubin Kaminsky, Suite 211, 342 North Main Street, West Hartford, CT 06117. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Silica stone*, in bulk, in dump vehicles or in pneumatic tank vehicles, from North Stonington, Conn., to points in Virginia; and (2) *silica sand*, in bags, on pallets, on flatbed trailers, from North Stonington, Conn., to points in Virginia with return of *refused, damaged, and rejected shipments* in the reverse direction, for 150 days. Supporting shipper: Ottawa Silica Co., Post Office Box 577, Ottawa, IL 61350 (William J. Reinka, Jr., Director of Transportation). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 119302 (Sub-No. 10 TA), filed December 15, 1970. Applicant: MILLER TRANSFER AND RIGGING CO., Post Office Box 6077, Mail: Akron, OH, Office: 3911 State Route 183, Edinburg, OH 58227. Applicant's representative: A. David Millner, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brass cakes and slabs*, from Cleveland, Ohio, to Buffalo, N.Y., and (2) *brass and copper sheets*, in coils, from Buffalo, N.Y., to Cleveland, Ohio; under a continuing contract or contracts with Chase Brass & Copper Co., Inc., at Cleveland, Ohio; for 150 days. Supporting shipper: Chase Brass & Copper Co., 20600 Chagrin Boulevard, Cleveland, OH 44122. Send protests to: District Supervisor G. J. Baccel, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 128273 (Sub-No. 80 TA), filed December 15, 1970. Applicant: MIDWESTERN EXPRESS, INC., Box 189, 121 Humboldt Street, Fort Scott, KS. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods* (except frozen), from points in California to points in Louisiana, Mississippi, and Tennessee, for 180 days. Supporting shippers: Del Monte Corp., 215

Fremont Street, San Francisco, CA 94119; California Cannery & Growers Association, 3100 Ferry Building, San Francisco, CA 94106. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, KS 67202.

No. MC 134000 (Sub-No. 2 TA), filed December 15, 1970. Applicant: ROBERT E. BAILEY TRANSPORT, 1424 Northeast Dekum Street, Portland, OR 97221. Applicant's representative: Nick I. Goyak, 710 Oregon National Building, Portland, OR 97205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel and iron and steel products*, between Portland, Oreg., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), (2) *Machinery* used in the manufacture of *iron and steel products and fiberglass boats*, from points in the United States (except Alaska and Hawaii) to Portland, Oreg., (3) *Fiberglass boats* from Portland, Oreg., to points in the United States (except Alaska and Hawaii). The service applied for to be performed for the account of The Albina Corp., Portland, Oreg., for 180 days. Supporting shipper: The Albina Corp., 3810 North Mississippi Avenue, Portland, OR 97227. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, OR 97204.

No. MC 134977 (Sub-No. 1 TA), filed December 15, 1970. Applicant: CHATTANOOGA TRANSFER AND STORAGE COMPANY, INC., 2200 North Chamberlain Avenue, Chattanooga, TN 37406. Applicant's representative: Monty Schumacher, Suite 310, Bankers Fidelity Life Building, 2045 Peachtree Road NE., Atlanta, GA 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, and *Unaccompanied baggage and personal effects*, between points in Bledsoe, Bradley, Clay, Cumberland, Fentress, Grundy, Hamilton, Jackson, Loudon, McMinn, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Van Buren, Warren, and White Counties, Tenn., Jackson, De Kalb, and Marshall Counties, Ala., and Bartow, Catoosa, Chattooga, Dade, Fannin, Floyd, Gilmer, Gordon, Murray, Walker, and Whitfield Counties, Ga. Restriction: The operations authorized herein are subject to the following conditions; said operations are restricted to the transportations of traffic having a prior or subsequent movement, in containers, except as to unaccompanied baggage and personal effects, beyond the points authorized. Said operations are restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating and decontainerization of such traffic, for 180 days. Supporting shipper: U.S. Government. Send protests to: Joe J. Tate, District Supervisor, Bureau of

Operations, Interstate Commerce Commission, Suite 803, 1808 West End Building, Nashville, TN 37203.

No. MC 135175 (Sub-No. 1 TA), filed December 15, 1970. Applicant: B. C. CARTAGE COMPANY, 3222 North Main Street, Gainesville, FL 32601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, materials, and supplies* having a prior or subsequent movement in Interstate Commerce, between points in Florida in the counties of Alachua, Union, Columbia, Gilchrist, Levy, Lafayette, Dixie, Suwannee, Taylor, Madison, Putnam, Bradford, Marion, Hamilton, Clay, and Jefferson, for 150 days. Supporting shipper: Western Electric Co., Inc., 3300 Lexington Road, SE., Winston-Salem, NC 27102. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-17356; Filed, Dec. 23, 1970;  
8:49 a.m.]

[Notice 630]

#### MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 21, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-72532. By order of December 11, 1970, the Motor Carrier Board approved the transfer to K & M Trucking Co., Box 37, Farragut, IA 51639, of certificate No. MC-68528, issued March 1, 1967, to Vern Kemp and William W. Morgan, a partnership, doing business as K & M Trucking Co., Box 37, Farragut, IA 51639, authorizing the transportation of: Flour, feed, agricultural implements, building materials, and seed, from Omaha, Nebr., to Farragut, Iowa, and points within 15 miles of Farragut; building materials, from Nebraska City, Nebr., to Farragut, Iowa, and points within 15 miles of Farragut; feed and seed, from St. Joseph, Mo., to Farragut, Iowa, and points in Page and Fremont Counties, Iowa; livestock between points in Fremont, Mills, Page, and Montgomery Counties, Iowa, on the one hand, and, on the other, Omaha,

Nebr., and St. Joseph, Mo.; and livestock, seed, feed, and agricultural implements, between Farragut, Iowa, and points in Fremont and Page Counties, Iowa, on the one hand, and, on the other, Kansas City, Kans., Kansas City, Mo., and Nebraska City, Nebr.

No. MC-FC-72534. By order of December 14, 1970, the Motor Carrier Board approved the transfer to B.I.C. Inc., Cleveland, Ohio, of the operating rights in certificate No. MC-36707, issued May 4, 1949, to Clement F. Raimor and Tony J. Walters, a partnership, doing business as Cleveland Southeastern Charter Coach Lines, Bedford, Ohio, authorizing the transportation of: Passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations from points in Cuyahoga County, Ohio, to points in the District of Columbia, Illinois, Michigan, Pennsylvania, New York, Iowa, Wisconsin, Minnesota, Indiana, Massachusetts, Georgia, Tennessee, Virginia, Maryland, West Virginia, North Carolina, South Carolina, New Jersey, Alabama, Missouri, South Dakota, Kentucky, and Nebraska, traversing Vermont for operating convenience only, and return. J. A. Kundtz, 1100 National City Bank Building, Cleveland, OH 44114, attorney for applicants.

No. MC-FC-72539. By order of December 16, 1970, the Motor Carrier Board approved the transfer to D. D. Poyner, Big Lake, Tex., of the certificate of registration No. MC-98735 (Sub-No. 1) issued April 16, 1964, to Cecil R. Waggoner, doing business as Waggoner Truck Line, Andrews, Tex., evidencing a right to engage in transportation in interstate commerce as described in certificate No. 5181, issued by the Railroad Commission of Texas, August 17, 1970. Dan Felts, 904 Lavaca St., Austin, TX 78701, attorney for applicants.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-17357; Filed, Dec. 23, 1970;  
8:49 a.m.]

[Notice 216]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 22, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific

as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 65916 (Sub-No. 13 TA) (Correction), filed November 30, 1970, and published FEDERAL REGISTER issue December 10, 1970, and republished as corrected this issue. Applicant: WARD TRUCKING CORP., Second Avenue and Seventh Street, Greenwood, Altoona, PA 16603. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, PA 15219. NOTE: The purpose of this partial republication is to show the duration of days (150 days) which was inadvertently omitted in previous publication. The rest of publication remains as previously published.

No. MC 110589 (Sub-No. 3 TA), filed December 15, 1970. Applicant: J. E. LAMBERT TRANSFER, INC., Russell Road, Grand Island, NE 68801. Applicant's representative: Donn K. Bieber, Schuyler, NE 68661. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, from Gibbon, Nebr., to Chicago, Ill., and Milwaukee, Wis., for 180 days. Supporting shipper: Peck Meat Packing Corp., 231 South Muskego Avenue, Milwaukee, WI 53233. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Old Post Office Building, Lincoln, NE 68508.

No. MC 115331 (Sub-No. 292 TA), filed December 15, 1970. Applicant: TRUCK TRANSPORT INCORPORATED, 1931 North Geyer Road, St. Louis, MO 63131. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitro-carbo-nitrate*, other than bulk, from Monsanto Co., Bonne Terre, Mo., to points in Sandusky, Seneca, Hancock, Wood, Ottawa, and Wyandot Counties, Ohio; Clay, Sullivan, Warrick, Gibson, Marshall, Greene, and Vermillion Counties, Ind., and Muhlenberg County, Ky., and New Lexington, Ohio, and Dundee, Mich., for 180 days. Supporting shipper: Monsanto Co., 800 North Lendbergh Boulevard, St. Louis, MO 63166. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, MO 63131.

No. MC 115524 (Sub-No. 15 TA) (Correction), filed November 30, 1970, and published FEDERAL REGISTER issue December 10, 1970, and republished as corrected this issue. Applicant: WILLIAM P. BURSCH, doing business as BURSCH TRUCKING, 415 Rankin Road NE., Albuquerque, NM 87107. NOTE: The purpose of this partial republication is to show the duration of days (150 days) which was inadvertently omitted from

previous publication. The rest of publication remains as previously published.

No. MC 118904 (Sub-No. 23 TA), filed December 15, 1970. Applicant: MOBILE HOME EXPRESS, LTD., 1915 F Avenue, Lawton, OK 73501, Oklahoma corp. Applicant's representative: R. E. Richards, Post Office Box 1290, Hobbs, NM 88240. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile home trailers*, in truckaway service, in initial movement, from points in Lea County, N. Mex., to points in Arizona, Texas, Oklahoma, Colorado, Nevada, Utah, Wyoming, Arkansas, Louisiana, and California. NOTE: Applicant states it does intend to tack the authority sought all other applicable portions of MC 118904, for 180 days. Supporting shipper: United Housing of New Mexico, Inc., State Highway No. 18, Hobbs, NM 88240. Send protests to: H. C. Morrison, Sr., Transportation Spec. Interstate Commerce Commission, Bureau of Operations, 9A27 Federal Building, 819 Taylor Street, Fort Worth, TX 76102.

No. MC 124679 (Sub-No. 39 TA), filed December 16, 1970. Applicant: C. R. ENGLAND & SONS, INC., 228 West Fifth South, Salt Lake City, UT 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packinghouse products*, from St. Louis, Mo., to points in Hillsboro County, N.H., for 180 days. Supporting shipper: Foster Beef Co., 409-413 Elm Street, Manchester, NH (Martin F. Hughes, Vice President and Sales Manager). Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5239 Federal Building, Salt Lake City, UT 84111.

No. MC 128285 (Sub-No. 4 TA), filed December 15, 1970. Applicant: MELLOW TRUCK EXPRESS, INC., 9801 North Vancouver Way, Post Office Box 17063, Portland, OR 97217. Applicant's representative: Earle V. White, Farley Building, 2400 Southwest Fourth Avenue, Portland, OR 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cedar shakes, shingles, and hip and ridge*, from Cathlamet and Longview, Wash., and Portland, Ore., to points in California in and north of Monterey, Kings, Tulare, and Inyo Counties, and points in Washoe, Storey, Lyon, Ormsby, and Douglas Counties, Nev., for 180 days. Supporting shipper: Moclips Cedar Products Co., 1741 Southwest Highland Road, Portland, OR 97221. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, OR 97240.

No. MC 128862 (Sub-No. 9 TA), filed December 15, 1970. Applicant: B. J. CECIL TRUCKING, INC., Box C, Claypool, AZ 85532. Applicant's representative: Earl Carroll, Evans, Kitchel & Jenckes, 363 North First Avenue, Phoenix, AZ 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Copper*

*cement*, from Producers Minerals, 6 miles north of Safford, Ariz., to McGill, Nev., for 180 days. NOTE: Applicant intends to tack the authority applied for in MC 128862. Supporting shipper: Aaron Ferer & Sons Co., 909 Abbott Drive, Omaha, NE 68102. Send protests to: Andrew V. Baylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 3427 Federal Building, Phoenix, AZ 85025.

No. MC 133755 (Sub-No. 8 TA), filed December 18, 1970. Applicant: MILLIS BROS. TRANSFER, INC., Post Office Box 112, Black River Falls, WI 54615. Applicant's representative: Eric F. Stutz, 104 Main Street, Black River Falls, WI 54615. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., to Minneapolis, Minn., for 180 days. Supporting shipper: Pohle Sales, Inc., 730 29th Avenue SE., Minneapolis, MN. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 West Wilson Street, Room 206, Madison, WI 53703.

No. MC 134760 (Sub-No. 3 TA), filed December 15, 1970. Applicant: PHILLIP W. SLIGHTOM, doing business as P & B TRUCKING, Rural Route 1, Bettendorf, IA 52722. Applicant's representative: Kenneth F. Dudley, 611 Church Street, Ottumwa, IA 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, building materials, and building supplies*, from points in Illinois to Davenport, Iowa, for 180 days. Supporting shipper: Wickes Corp., 1425 East 39th Street, Davenport IA 52807. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 332 Federal Building, Davenport, IA 52801.

No. MC 135124 TA (Correction), filed December 1, 1970, and published FEDERAL REGISTER issue December 10, 1970, and republished as corrected this issue. Applicant: CHARLES MURRAY, 1058 Garfield Street, Fremont, OH 43420. Applicant's representative: Ronald W. Malin, Bank of Jamestown Building, Jamestown, NY 14701. NOTE: The purpose of this republication is to reflect the return movement as follows, materials, supplies, and equipment used or useful in the manufacture or distribution of salad dressing (including mayonnaise and tarter sauce) from above-named States to Wilson, N.Y., the rest of publication remains as previously published.

No. MC 135177 TA, filed December 15, 1970. Applicant: SECURITY STORAGE & VAN LINES, INC., 2100 East Market Street Extended, Charlottesville, VA 22902. Applicant's representative: Monty Schumacher, 2045 Peachtree Road NE., Atlanta, GA 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, and *unaccompanied baggage and personal effects*, between points in Virginia. Restriction: The operations authorized herein are subject

to the following conditions: Said operations are restricted to the transportation of traffic having a prior or subsequent movement, in containers except as to unaccompanied baggage and personal effects, beyond the points authorized. Said operations are restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Supporting shipper: Department of Defense, Washington, D.C. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, VA 23240.

No. MC 135179 TA, filed December 15, 1970. Applicant LAWRENCE P. & HELENE L. HOLT, doing business as Holt Cycle Service, 1626 East Fifth Street, Pueblo, CO 81001. Applicant's representative: Lawrence P. Holt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motorcycles, snowmobiles, A.T.V. (all terrain*

*vehicles), parts and accessories*, from Los Angeles, Calif., to points in Colorado, for 180 days. Supporting shippers: Central Cycle Shoppe, 1833 North Circle Drive, Colorado Springs, CO 80909; Don's Cycles, 739 East Pikes Peak Avenue, Colorado Springs, CO 80903; Bill Brokaw Motorcycles, Inc., 1314 Fountain Creek Boulevard, Colorado Springs, CO 80906; Tote Gote Sales of Colorado, 709 East Fourth Street, Pueblo, CO 81001; Timme Motor Sales, 215 North Victoria, Pueblo, CO 81001; Star Cycle, 300 North Chester, Pueblo, CO 81003; Pueblo Honda, 1405 West Fourth Street, Pueblo, CO 81005; Cycle Center, 831 Main Street, Canon City, CO 81212; Salida Motors, Inc., 300 F Street, Salida, CO 81201; Yamaha-Denver, 499 Federal Boulevard, Denver, CO 80204. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, CO 80202.

No. MC 135178 TA, filed December 15, 1970. Applicant: FOOD TRANSPORTERS, INC., 1175 Woodman Tower,

Omaha, NE 68102. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts, and articles distributed by meat packing-houses* as described in sections A and C of appendix 1 to the report in *Description and Motor Carrier Certificates*, 61 M.C.C. 209 (excepting hides and commodities in bulk, in tank vehicles), from points in the Sioux City, Iowa, commercial zone to Los Angeles, Calif., for 180 days. Supporting shipper: Luer Packing Co., 3026 East Vernon Avenue, Los Angeles, CA. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, NE 68102.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[P.R. Doc. 70-17400; Filed, Dec. 23, 1970; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—DECEMBER

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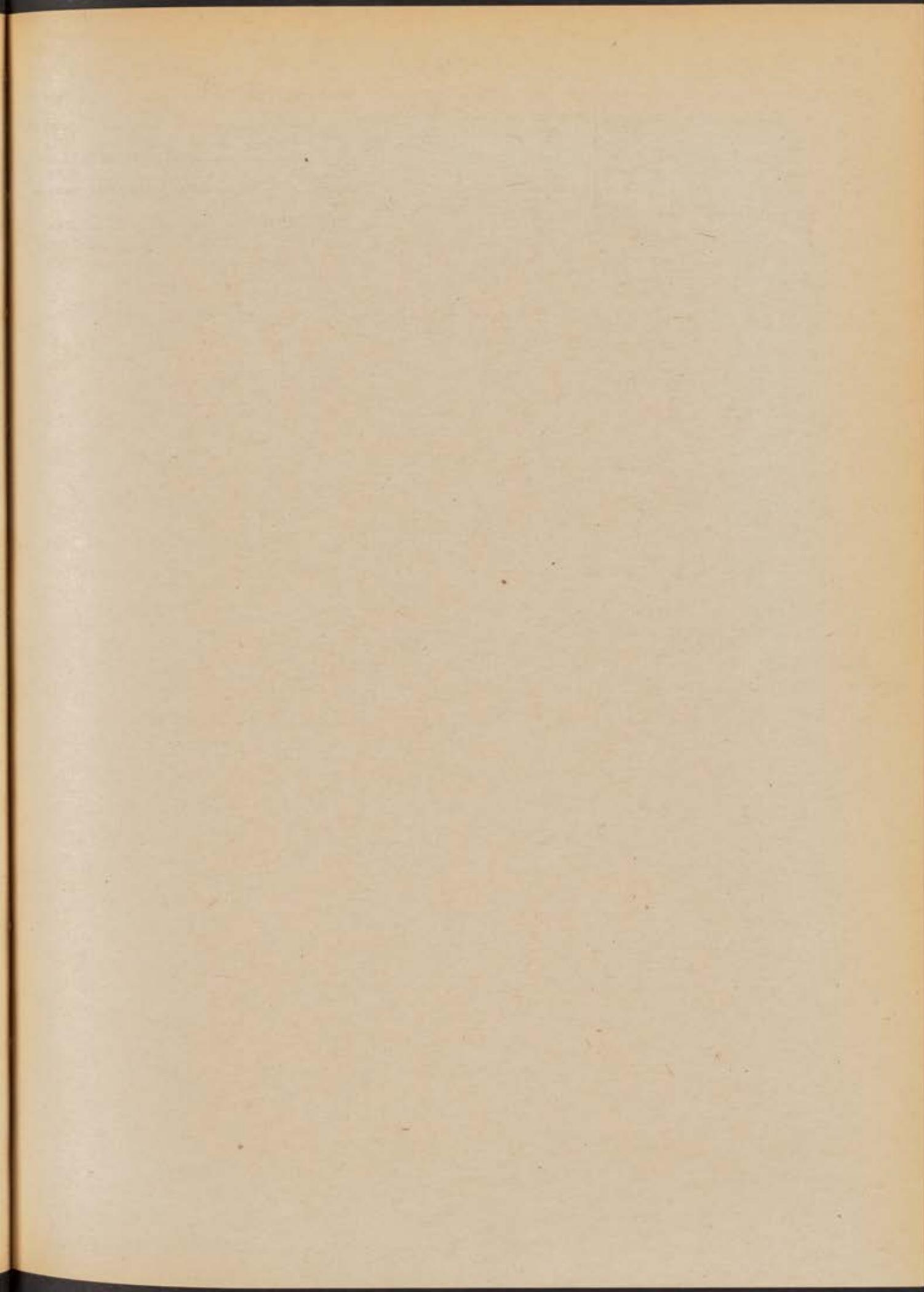
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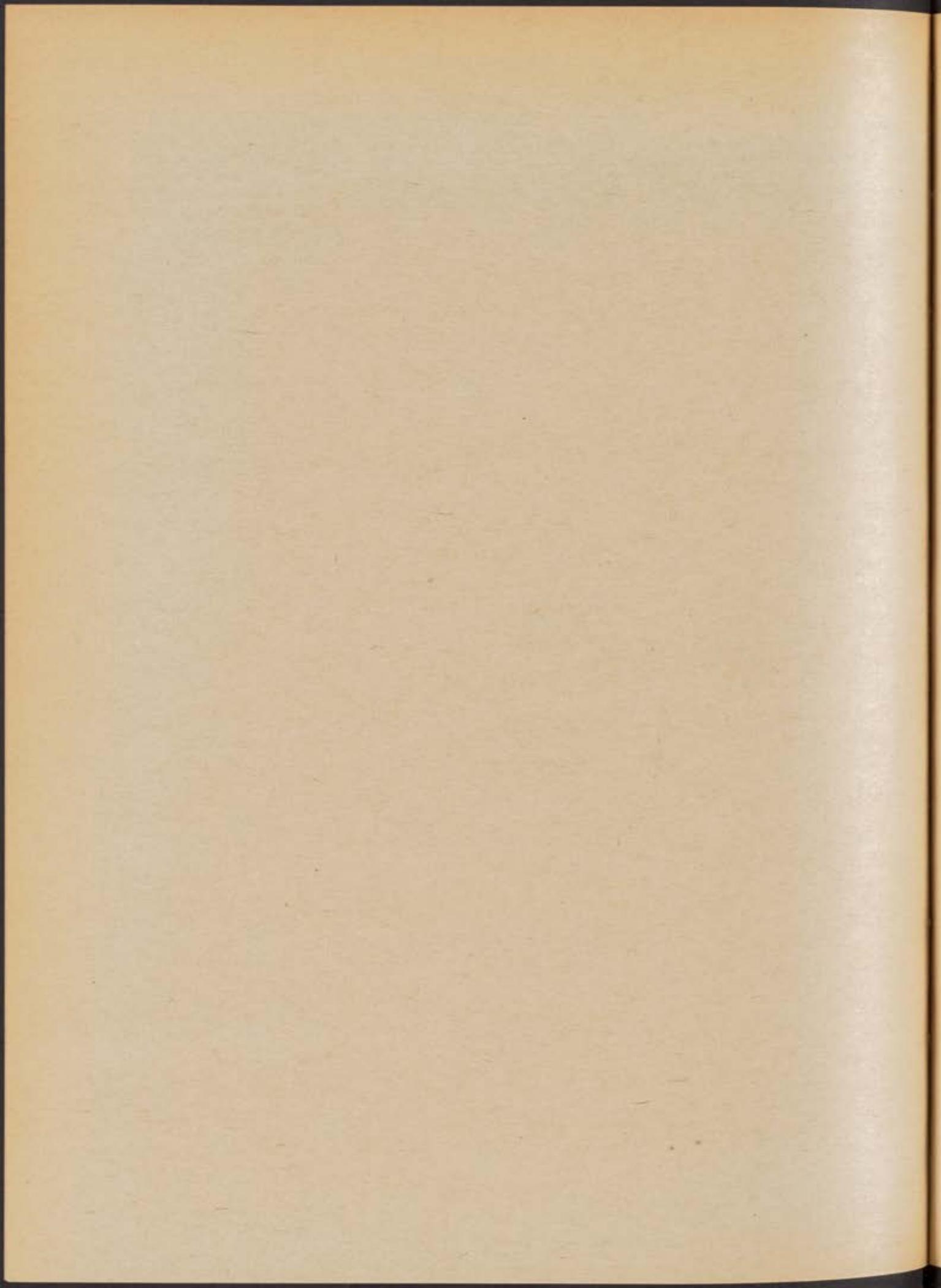
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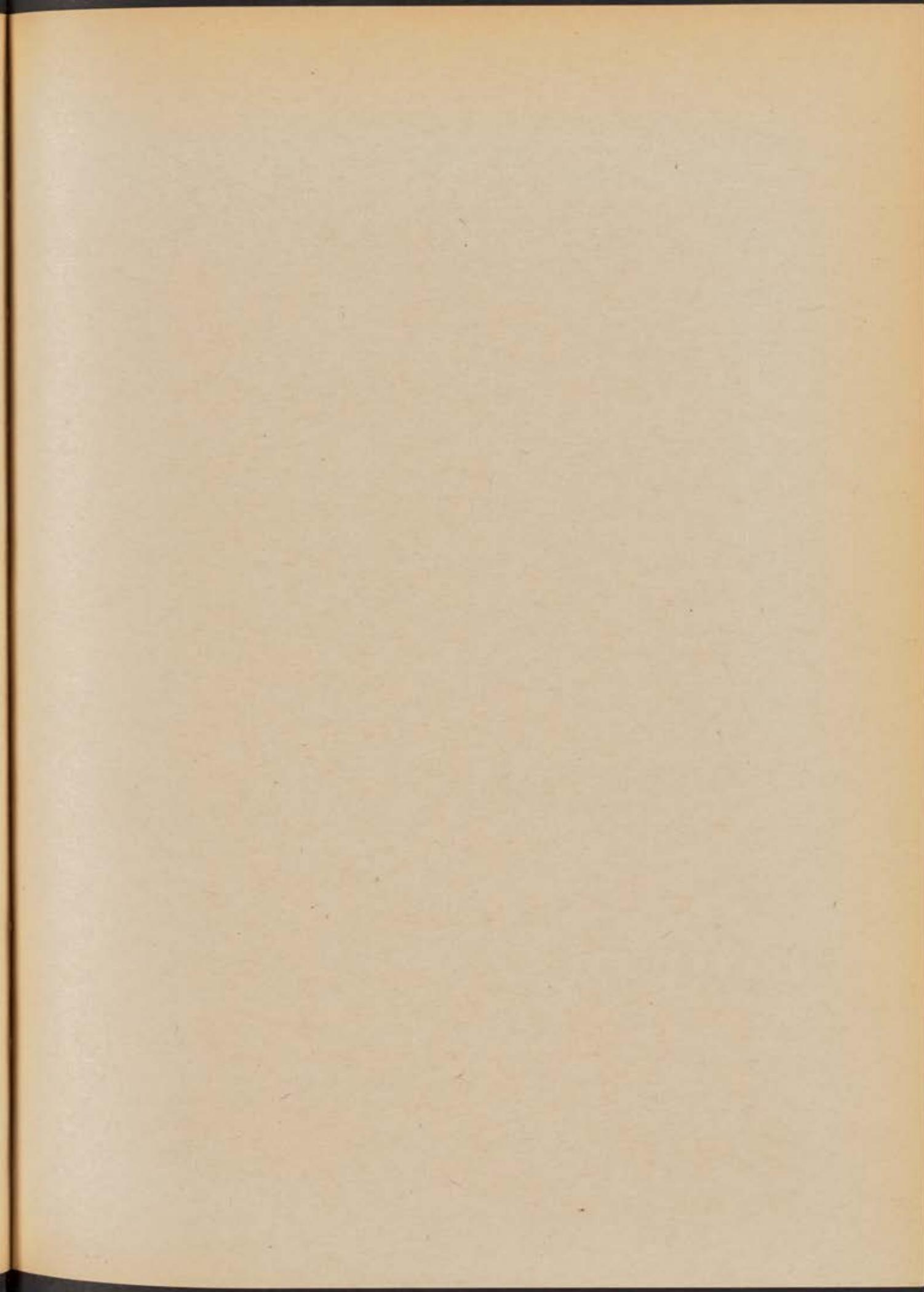
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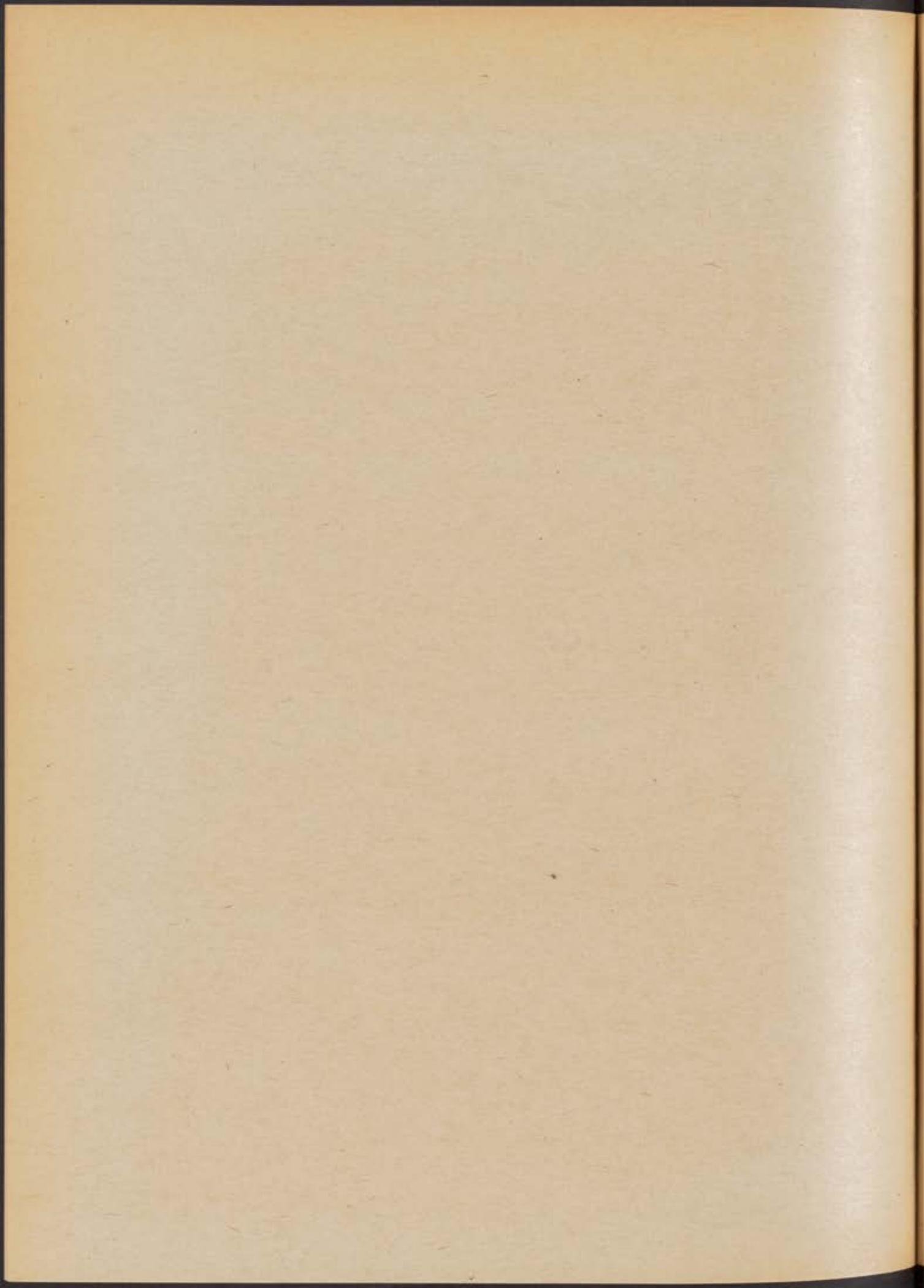
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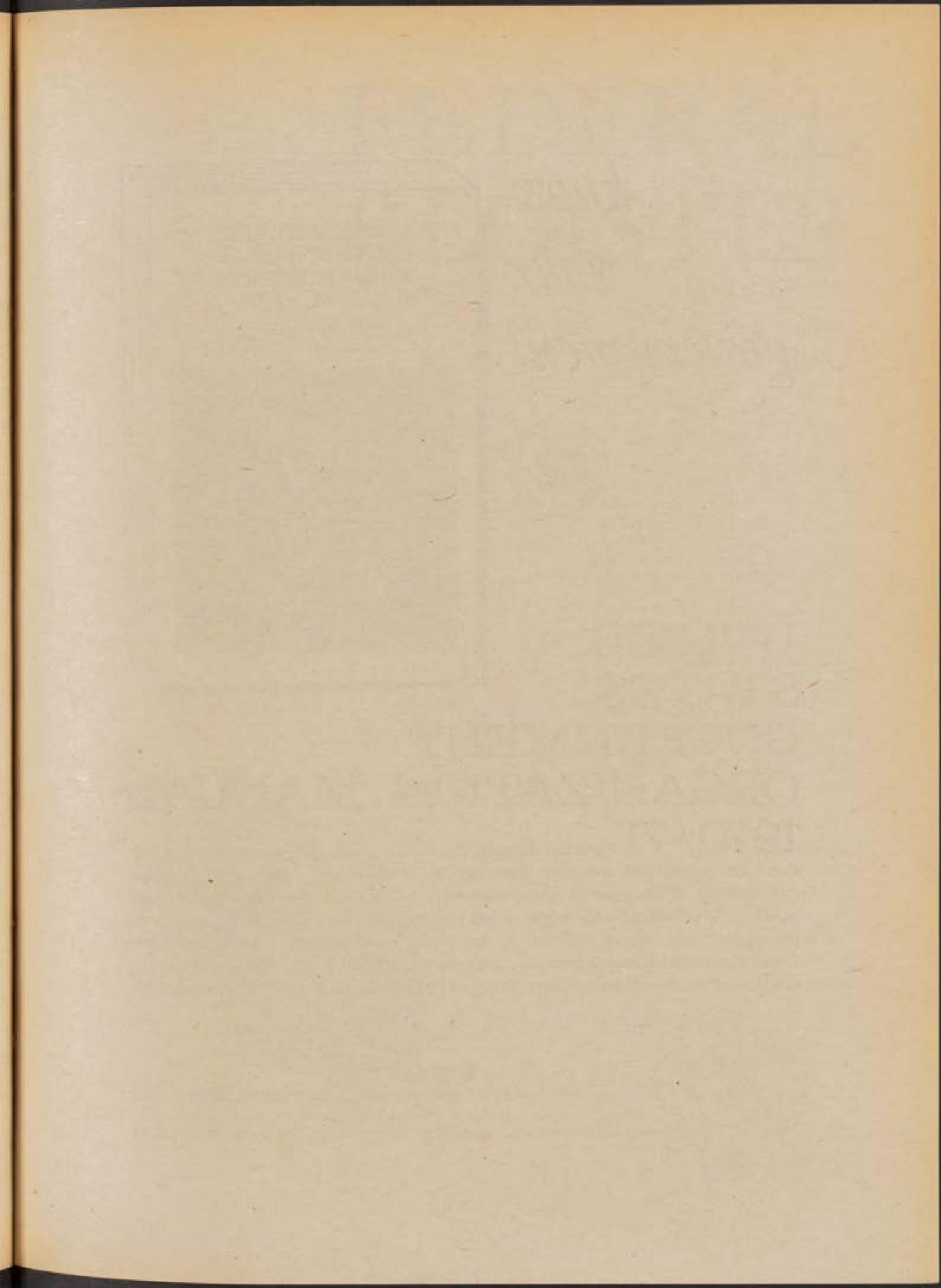
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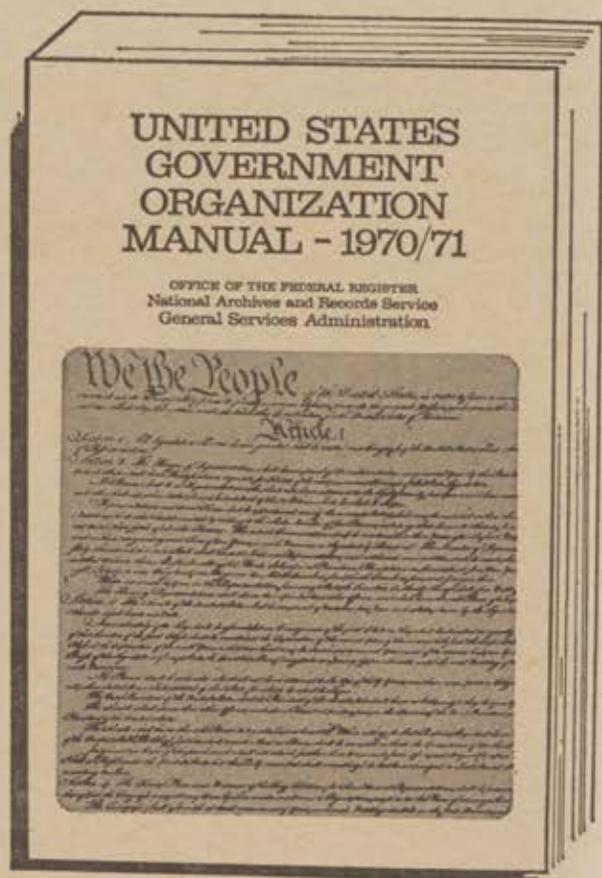








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