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Agencies in this issue—

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- Commodity Credit Corporation
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- Delaware River Basin Commission
- Engineers Corps
- Federal Aviation Administration
- Federal Highway Administration
- Federal Home Loan Bank Board
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Title 7—AGRICULTURE

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

[Valencia Orange Reg. 290]

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

Limitation of Handling

§ 908.590 Valencia Orange Regulation 290.

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated

among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 19, 1969.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period August 22, 1969, through August 28, 1969, are hereby fixed as follows:

- (i) District 1: 356,000 cartons;
- (ii) District 2: 436,000 cartons;
- (iii) District 3: 8,000 cartons.

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

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

Dated: August 20, 1969.

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 69-10066; Filed, Aug. 20, 1969; 11:31 a.m.]

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

[Milk Order No. 125]

PART 1125—MILK IN PUGET SOUND, WASHINGTON, MARKETING AREA

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the 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 agreement and to the

order regulating the handling of milk in the Puget Sound, Wash., marketing area. 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) *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 the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum in which each individual producer had one vote and 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 Puget Sound, Wash., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The following order provisions, which are effective through December 31, 1969, are hereby made effective through December 31, 1970: §§ 1125.22(k)(2), 1125.110, 1125.111, 1125.120, 1125.121, 1125.122, 1125.123, and 1125.124.

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

Effective date: October 1, 1969.

Signed at Washington, D.C., on August 18, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 69-9963; Filed, Aug. 20, 1969;
8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. 3]

PART 1490—PAYMENTS ON EXPORTS OF CERTAIN KINDS OF TOBACCO

Subpart—Tobacco Export Program

The Tobacco Export Program regulations issued by Commodity Credit Corporation and published in 31 F.R. 12997 and 14826 and 32 F.R. 4491 are hereby revised and reissued.

Sec.	
1490.1	General.
1490.2	Definitions.
1490.3	Export payment and rate.
1490.4	Eligible tobacco.
1490.5	Eligible exporter.
1490.6	Contracts to export tobacco.
1490.7	Application for tobacco export payment and evidence of export.
1490.8	Reentry or transshipment.
1490.9	Assignments and setoffs.
1490.10	Records and accounts.
1490.11	Officials not to benefit.
1490.12	Amendment and termination.

AUTHORITY: The provisions of this subpart are issued under secs. 4, 5, 62 Stat. 1070, as amended, 15 U.S.C. 714(b).

§ 1490.1 General.

The regulations in this subpart state the terms and conditions of a tobacco export program under which Commodity Credit Corporation, an agency and instrumentality of the United States within the Department of Agriculture, will make a cash payment to an exporter on exportation of eligible tobacco to an eligible country. This revised subpart and any amendments hereto are hereinafter called "this program." Export payment will be made on submission of acceptable evidence of compliance with the provisions of this program. This program shall apply to eligible tobacco exported on or after the effective date hereof.

§ 1490.2 Definitions.

(a) The term "CCC" means Commodity Credit Corporation.

(b) The term "ASCS" means Agricultural Stabilization and Conservation Service.

(c) The term "eligible country" means any destination outside the United States other than any country or area for which an export license is required under regulations issued by the Bureau of International Commerce, U.S. Department of Commerce, unless a license for shipment or transshipment thereto has been obtained from such bureau.

(d) (1) The terms "export" and "exportation" mean, except as hereinafter provided, a shipment from the United

States destined to an eligible country with the intent that the tobacco shall become a part of the mass of goods of the eligible country. Tobacco so shipped shall be considered to have been exported on the date of loading as shown on the applicable on-board vessel ocean bill of lading or other document authorized by this program to be furnished in lieu of such bill of lading, or, if shipment from the United States is by truck, rail, or air, the date the shipment clears U.S. Customs. If any of the tobacco is lost, destroyed, or damaged after loading on board a ship, for export, exportation shall be considered to have been as of the date of loading as shown on the on-board vessel ocean bill of lading or other document authorized by this program to be furnished in lieu of such bill of lading, or as of the latest date appearing on the loading tally sheet or similar document, if the loss, destruction, or damage occurs subsequent to loading aboard ship but prior to issuance of on-board vessel ocean bill of lading or such other document, except that, if the "lost" or "damaged" tobacco remains in the United States, it shall not be considered as exported if CCC determines that the condition of the "lost" or "damaged" tobacco is such that it can be disposed of in the domestic market in a manner which will adversely affect CCC's price support or export programs.

(2) Notwithstanding any of the provisions of this program, a shipment of eligible tobacco pursuant to a sale to a U.S. Government Agency shall not qualify as an export or exportation. The term "U.S. Government Agency" means any corporation wholly owned by the Federal Government, and any department, bureau, administration, or other unit of the Federal Government as, for example, the Departments of the Army, Navy, and Air Force, the Agency for International Development, the Army and Air Force Exchange Service, and the Panama Canal Company. A sale to a foreign buyer, including a foreign government, though financed with funds made available by a U.S. Government Agency, such as the Agency for International Development or the Export-Import Bank, is not a sale to a U.S. Government Agency unless the tobacco is transferred or caused to be transferred by such buyer to a U.S. Government Agency.

(e) The term "stemmed tobacco" means tobacco leaf and leaf particles which (1) are produced by processing in the manner commonly known as threshing, or tipping and threshing, or stemming and (2) do not contain stems in excess of 10 percent of total weight. "Stemmed tobacco" shall include Perique tobacco and cut tobacco or blended strips, or tobacco similarly processed from stemmed tobacco.

(f) The term "unstemmed tobacco" means any packed tobacco which (1) is not stemmed tobacco, scrap or blackfat as defined in this section and (2) does not include butt ends or stems removed from tobacco. If tobacco has been tipped and butted, the butt ends shall be considered removed from tobacco unless tip

ends in the proportion produced in the tipping process are exported under this program as unstemmed tobacco.

(g) The term "blackfat" means unstemmed packed tobacco which has been further processed, usually by application of oil compounds, into a form of tobacco commonly known as blackfat.

(h) The term "scrap" means tobacco leaf particles which by any process other than threshing, tipping and threshing, stemming or cutting have been reduced to sizes generally less than one-fifth of the size of the leaf and which have not been screened or which in a screening process did not stay on top of a screen having not more than eight openings per linear inch or 64 openings per square inch.

(i) The term "United States" means the 50 States of the United States, the District of Columbia, Puerto Rico, and the territories and possessions of the United States.

§ 1490.3 Export payment and rate.

(a) Except as otherwise provided in § 1490.6 with respect to exports of eligible tobacco pursuant to a contract with CCC, CCC will make a payment on exports of eligible tobacco at the rate in effect on the date of exportation based on the unstemmed-leaf packed-weight or the unstemmed-leaf packed-weight equivalent, of the eligible tobacco exported. The unstemmed-leaf packed-weight equivalent of stemmed tobacco, shall be determined in accordance with paragraph (d) of this section.

(b) The export payment rate shall be as follows:

(1) Ten dollars per hundredweight for (i) Flue-cured tobacco (Types 11-14) of the 1960, 1961, and 1962 crops, (ii) Fire-cured tobacco (Type 21) of the 1959, 1960, 1961, and 1962 crops, (iii) Fire-cured tobacco (Types 22-23) of the 1960, 1961, and 1962 crops, (iv) Dark air-cured tobacco (Types 35-36) of the 1961 and 1962 crops, and (v) Burley tobacco (Type 31) of the 1960, 1961, and 1962 crops, except that if such Burley tobacco is exported pursuant to a contract with a foreign buyer which was entered into between July 6, 1966 and November 25, 1966 and which was not revised to reduce the sales price \$5 per hundredweight the export payment shall be \$5 per hundredweight.

(2) Five dollars per hundredweight for all other kinds and crops of eligible tobacco.

(c) CCC reserves the right to reduce the export payment rate, except that any rate reduction (1) shall be effective only after expiration of 90 days following publication thereof in the FEDERAL REGISTER and (2) shall not apply to any contract entered into with CCC under § 1490.6.

(d) The unstemmed-leaf packed weight of unstemmed tobacco shall be the sales weight of the unstemmed tobacco as shown on the invoice and supported by evidence in the exporter's records. The unstemmed-leaf packed-weight equivalent of blackfat shall be the net packed weight of the processed blackfat,

less the weight of the oil applied in processing. The unstemmed-leaf packed-weight equivalent of Perique tobacco shall be net sales weight as invoiced to the foreign buyer. The unstemmed-leaf packed-weight equivalent of other kinds of stemmed tobacco shall be the original net packed weight (prior to any further processing) of the stemmed tobacco multiplied by the applicable factors shown below:

Kind of tobacco	Stem content does not exceed		
	3%	6%	10%
Flue-cured.....	1.30	1.25	1.19
Burley.....	1.34	1.29	1.23
Fire-cured.....	1.31	1.26	1.20
Dark air-cured.....	1.39	1.34	1.28
Virginia sun-cured.....	1.32	1.27	1.21
Cigar binder and filler.....	1.53	1.48	1.42
Puerto Rican.....	1.45	1.40	1.34
Maryland.....	1.35	1.30	1.24
Cigar wrapper.....	1.24	1.19	1.13

If the tobacco was not processed by the exporter or an affiliated company, the original net packed weight and stem content shall be based on a statement furnished by the company which processed the tobacco for the use of the exporter in making application for payment. Such statement shall include the representation that weight and stem content, as stated, are supported by company records which for purposes of CCC audit relating to export payments under Tobacco Export Program regulations, shall be considered records of the exporter. If such a statement cannot be obtained, the tobacco shall be considered unstemmed tobacco for the purpose of this program. If the sales weight shown on the invoice is subsequently reduced by agreement between the exporter and the foreign buyer, the exporter shall report and refund to CCC the excess export payment received.

§ 1490.4 Eligible tobacco.

(a) Tobacco eligible for export payment (hereinafter called "eligible tobacco") under this program shall be tobacco which is:

(1) Unstemmed tobacco, or stemmed tobacco, or blackfat, not contained in manufactured products such as, but not limited to, cigarettes, cigars, snuff, or smoking or chewing tobacco packaged for consumer use;

(2) Produced in the United States;

(3) Exported on or after the effective date of this program;

(4) Composed of one or more of the following kinds and types: (i) Flue-cured, types 11-14, (ii) burley, type 31, (iii) fire-cured, types 21-23, (iv) dark air-cured, types 35-36, (v) Virginia sun-cured type 37 (vi) cigar binder, types 51-52, (vii) cigar filler and binder, types 41-44, 53-55, (viii) Puerto Rican, type 46, (ix) Maryland, type 32 (x) cigar wrapper, types 61-62, and (xi) Perique, type 72; and

(5) If exported pursuant to a contract of sale with a foreign buyer, is exported under a contract which was either (i) entered into on or after the effective date

of this program if the tobacco is Maryland, type 32, cigar filler, type 41, cigar wrapper, types 61-62, or Perique, type 72; or after July 6, 1966, if any other kind of tobacco; or (ii) revised to reduce the sales price by an amount equal to the export payment for which application is made. Any reduction in the sales price may be made by credit invoices or other standard commercial practice acceptable to the foreign buyer.

(b) If eligible tobacco is exported commingled with other tobacco or additives, the exporter shall certify the weight of the eligible tobacco to CCC.

§ 1490.5 Eligible exporter.

An exporter, to be eligible to participate in this program, must be a person (an individual, corporation, partnership, association, or other business entity) who (a) is engaged in the business of buying or selling tobacco for export, (b) maintains a bona fide business office in the United States for this purpose, and (c) has in such office an agent who is authorized to receive service of process upon behalf of such person.

§ 1490.6 Contracts to export tobacco.

(a) An exporter who desires to obtain an export payment rate which will not be subject to reduction under paragraph (c) of § 1490.3 may submit an offer, during a 90-day period beginning with the date of publication of a rate reduction in the FEDERAL REGISTER, to export eligible tobacco of the then current or prior crops. A crop shall be identified by the calendar year in which the marketing year (July 1 for flue-cured tobacco and October 1 for other kinds of tobacco) for such crop began. If such an offer is accepted by CCC, an exporter who otherwise complies with this program shall receive an export payment at the rate in effect on the date the offer is submitted. The exporter's offer shall state:

(1) That the offer is subject to the terms and conditions of this program in effect at the time the offer was submitted;

(2) The kind and type of tobacco of the then current or prior crops or both which the exporter agrees to export;

(3) The unstemmed-leaf packed-weight or the unstemmed-leaf packed-weight equivalent of the tobacco the exporter agrees to export; and

(4) That the tobacco will be exported within 48 months following the month of acceptance of the exporter's offer by CCC.

(b) The offer, signed by an authorized official of the offeror, shall be submitted to:

Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250.

(c) Any offer containing terms and conditions other than those authorized in this program shall not be accepted. An acceptance by CCC of an exporter's offer shall be made by letter to the exporter giving a contract acceptance number. The contract resulting from such acceptance shall consist of the exporter's offer, CCC's letter of acceptance, and the terms and conditions of this program in effect on the date of submission of the

offer. The date of the CCC letter of acceptance shall be the date of the contract.

(d) The exporter shall export or cause exportation of the quantity of eligible tobacco specified in his contract not later than the final date for exportation specified therein, or within such extension of the export period as may for good cause be approved in writing by CCC. If an extension of the exportation period is approved, it may be made subject to such reduction in the export payment rate as may be specified by CCC. The extension may be made before or after the expiration of the export period.

(e) (1) Failure of the exporter to comply with all of the terms and conditions of his contract with CCC will cause serious and substantial losses to CCC, such as damage to its export and price support programs and the incurrence of administrative and other costs. Inasmuch as it will be difficult, if not impossible, to establish the exact amount of such losses, the exporter, in submitting his offer, agrees that the liquidated damages provided in subparagraph (2) of this paragraph are reasonable estimates of CCC's probable actual damages in the event of his breach of the contract.

(2) The exporter shall pay to CCC for each day of delay in exportation after the final date therefor, liquidated damages of 2 cents per hundredweight of tobacco not exported by the final date for exportation, except that such liquidated damages shall not exceed \$1 per hundredweight of such tobacco. CCC shall not make any export payment under the contract with respect to eligible tobacco exported more than 90 days after the final date for export.

§ 1490.7 Application for tobacco export payment and evidence of export.

(a) The exporter shall submit an original of an application for tobacco export payment on the form prescribed by CCC to the Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250. Supplies of the application form may be obtained from that office. The exporter, in order to receive an export payment under this program, must submit the application required by this section within 365 days from the date of export. The exporter shall certify in the application as to the kind, type, form (i.e., unstemmed tobacco, stemmed tobacco, or blackfat) and the quantity of eligible tobacco exported and, in the event the export is made under a contract entered into under § 149.06, the particular crop or crops of tobacco exported and the contract acceptance number. If the tobacco exported is of a kind and crop specified in § 1490.3(b)(1), the exporter shall also certify as to the particular crops exported. Each application for export payment shall show, by type and form, the unstemmed-leaf packed weight or the unstemmed-leaf packed-weight equivalent of the eligible tobacco exported, determined in accordance with § 1490.3(d). When such weight is different from the invoice weight, the computation of the weight on which payment

is claimed shall be certified to CCC. The use of a conversion rate provided for in § 1490.3(d) in determining the unstemmed-leaf packed-weight equivalent shall constitute the exporter's representation that the stemmed tobacco is of the quality, with respect to the percentage of stems remaining therein, to which the conversion factor applies. Applications for export payment shall be supported by the following documentary evidence:

(1) In the case of exportation by water, a nonnegotiable copy of an on-board vessel ocean bill of lading, signed or initialed on behalf of carrier, showing the number of containers of tobacco, the gross weight of the containers, including the tobacco therein, the date and place of loading on board vessel, the name of the vessel, the name and address of the exporter and of the consignee, and the destination.

(2) In the case of exportation by rail, truck, or air, a copy of the bill of lading under which the tobacco was shipped, together with (i) an authenticated landing certificate issued by an official of the Government of the country to which the tobacco was exported, or (ii) a copy of Shipper's Export Declaration authenticated by the appropriate U.S. Customs official. The bill of lading and supporting export form (landing certificate or Shipper's Export Declaration) must apply to the same shipment of tobacco, and such forms, or properly authenticated attachments, must show the number of containers of tobacco, the gross weight of containers including the tobacco therein, the date and place of entry into the country of destination, and the name and address of both the exporter and the person to whom it was shipped.

(3) A copy of the exporter's invoice to the foreign buyer or to the consignee showing the net weight of the tobacco exported.

(4) A certificate by the exporter that either the exportation is not made pursuant to a contract of sale for which a reduction in price is required by § 1490.4(a)(5), or the price reduction required by § 1490.4(a)(5) has been or will be promptly made.

(5) If the exporter establishes that for good cause he is unable to supply the specified documentary evidence of export, CCC may accept such other evidence of export as will establish to its satisfaction that the exporter has qualified for an export payment under this program.

(b) Payment shall be made to the eligible exporter whose name appears as shipper or consignor on the bill of lading or other evidence of export required by paragraph (a) of this section. If the shipper or consignor named in the export bill of lading or other evidence of export is other than the exporter filing the application for tobacco export payment, a waiver must be submitted from the shipper or consignor named in such bill of lading or other evidence of export, waiving any interest in the claim for payment in favor of the exporter filing such application.

§ 1490.8 Reentry or transshipment.

If any quantity of tobacco with respect to which an export payment has been made under this program is reentered into the United States in unmanufactured, processed, or manufactured form, or while in the course of shipment is diverted to any ineligible country, whether or not such reentry or diversion is caused by the exporter, or if any quantity of tobacco with respect to which an export payment has been made under this program is transhipped or caused to be transhipped by the exporter to any country or destination not an eligible country, the exporter shall promptly refund to CCC any export payment made with respect to the quantity of tobacco so reentered or transhipped. The exporter shall not be required to make such refund if he establishes to the satisfaction of CCC that (a) the reentry was not due to his fault or negligence and promptly after he received notice of reentry he exported the reentered tobacco, or an equivalent quantity of eligible tobacco with respect to which no export payment has been made, to an eligible country or (b) the tobacco reentered was lost, damaged, or destroyed and its physical condition is such that its reentry will not adversely affect CCC's price support or export programs.

§ 1490.9 Assignments and setoffs.

(a) No assignment shall be made by the exporter of any export payment due under this program, except that subject to paragraph (b) of this section the exporter may assign the payment due the exporter under an application for payment on the form prescribed by CCC to any trust company, Federal lending agency, or other financing institution and, subject to the approval of the Executive Vice President of CCC, assignment may be made to any other person: *Provided*, That such assignment shall be recognized only if and when the assignee thereof files written notice of the assignment on Form CCC-251, "Notice of Assignment," together with a signed copy of the instrument of assignment, in accordance with the instructions on Form CCC-251: *And provided further*, That any such assignment shall cover all amounts payable and not already paid under such application, shall not be made to more than one person, and shall not be subject to further assignment, except that any such assignment may be made to one person as agent or trustee for two or more persons. The "Instrument of Assignment" may be executed on Form CCC-252, or the assignee may use his own form of assignment. Forms may be obtained from the:

Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250.

(b) If the exporter is indebted to CCC, the amount of such indebtedness may be set off against payments due the exporter under the application form provided for in § 1490.7, except that if an assignment of any payment has been made CCC may set off (1) any amount due CCC with respect to the application for such pay-

ment, and (2) any other amounts due CCC if CCC notifies the assignee of such other amounts to be set off at the time acknowledgment was made of the receipt of notice of such assignment. Setoffs as provided herein shall not deprive the exporter of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

§ 1490.10 Records and accounts.

Each exporter shall maintain complete and accurate records of transactions under this program, including contracts of purchase and sale, and storage and other records which will establish that the tobacco upon which export payment is made to the exporter is eligible for payment under this program. Such records shall be available during regular business hours for inspection and audit by authorized employees of the U.S. Department of Agriculture, and shall be preserved for three years after date of export.

§ 1490.11 Officials not to benefit.

No member or delegate to Congress or resident Commissioner shall be admitted to any benefit that may arise from any provision of this program, but this prohibition shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 1490.12 Amendment and termination.

This program may be amended or terminated by publishing such amendment or termination in the FEDERAL REGISTER, except that any such termination shall be effective 90 days after publication of the notice of termination in the FEDERAL REGISTER. A notice of termination shall be considered a rate reduction for purposes of §§ 1490.3 and 1490.6. Any such amendment or termination shall not be applicable to exports made prior to the date such amendment or termination becomes effective or to tobacco for which an offer to export has been accepted by CCC in accordance with § 1490.6.

The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date: Date of filing with the Office of the Federal Register.

Signed at Washington, D.C., on August 18, 1969.

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

D. M. RUBEL,
Acting Vice President, Com-
modity Credit Corporation,
Acting Administrator, For-
eign Agricultural Service.

NOTICE TO EXPORTER

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this

program to Cuba, the Soviet bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the Shipper's Export Declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

[F.R. Doc. 69-9965; Filed, Aug. 19, 1969; 9:32 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9502; Amdt. 39-822]

PART 39—AIRWORTHINESS DIRECTIVES

Pilatus Model PC-6 Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the installation of a new pivot bolt at the hatch door operating bellcrank on certain Pilatus Model PC-6 airplanes was published in 34 F.R. 5952.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PILATUS. Applies to Model PC-6 Airplanes, Serial Nos. 1 through 701, 2001 through 2018, 2023, 2025 through 2029, 2040 and 2041.

Compliance required within the next 300 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent rotation of pivot bolt P/N 6203.25 located at the hatch door operating bellcrank, replace with a new pivot bolt P/N 112.40.06.120 in accordance with Pilatus Service Bulletin No. 88, dated December 1968, or later Swiss Federal Air Office-approved issue, or an FAA-approved equivalent.

This amendment becomes effective September 20, 1969.

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

and 1423, and of section 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on August 14, 1969.

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

[F.R. Doc. 69-9940; Filed, Aug. 20, 1969; 8:49 a.m.]

[Docket No. 9568; Amdt. 39-823]

PART 39—AIRWORTHINESS DIRECTIVES

Viscount Models 744 and 745D Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the existing engine starter selector relay locking nut, bolt and washers on certain Vickers Viscount Models 744 and 745D Series airplanes was published in 34 F.R. 7249.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

VICKERS. Applies to Viscount Models 744 and 745D Series Airplanes equipped with aluminum heavy duty cable lugs connected to the engine starter selector relay.

Compliance required within the next 1,500 hours' time in service after the effective date of this AD, unless already accomplished. To prevent the overheating of the aluminum heavy duty cable lugs during engine starting replace the existing engine starting selector relay locking nut, bolt, and washers with a captive locking nut P/N 80236 Sht. 893, revised securing bolt P/N 72436-2749 and washers 74736-287, in accordance with British Aircraft Corp., Viscount Modification Bulletin No. D.3219 Issue 1, dated September 9, 1968, or later ARB-approved issue or an FAA-approved equivalent. The aluminum cable lug connections to engine starter selector relays are located in the main landing gear wheel bay at Nose Rib Station 131, LH and RH wings.

This amendment becomes effective September 20, 1969.

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

Issued in Washington, D.C., on August 14, 1969.

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

[F.R. Doc. 69-9941; Filed, Aug. 20, 1969; 8:49 a.m.]

[Airspace Docket No. 69-AL-4]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airway and Jet Route

On June 28, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9999) stating that the Federal Aviation Administration was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would designate a Federal airway and jet route from Anchorage, Alaska, via Talkeetna, Alaska, Nenana, Alaska, to the Chandalar Lake, Alaska, RBN.

Interested persons were afforded an opportunity to participate in the proposed rule making by the submission of comments. No comments were received.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., October 16, 1969, as hereinafter set forth.

1. Section 71.125 (34 F.R. 4543) is amended as follows:

a. In V-436 "12 AGL Anchorage, Alaska." is deleted and "Anchorage, Alaska; Talkeetna, Alaska; Nenana, Alaska; Chandalar Lake, Alaska RBN." is substituted therefor.

2. Section 75.100 (34 F.R. 4856) is amended as follows:

a. The title and text of Jet Route No. 125 is amended to read as follows:

Jet Route No. 125 (Kodiak, Alaska, to Chandalar Lake, Alaska). From Kodiak, Alaska, via Anchorage, Alaska; Talkeetna, Alaska; Nenana, Alaska; to Chandalar Lake, Alaska.

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

Issued in Washington, D.C., on August 15, 1969.

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

[F.R. Doc. 69-9938; Filed, Aug. 20, 1969; 8:49 a.m.]

[Docket No. 9742; Amdt. 91-65]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Use of Parachutes in Aerobatic Flight

Correction

In F.R. Doc. 69-9356, appearing at page 12882 of the issue of Friday, August 8, 1969, the amendment relating to § 91.71 should be corrected by adding the following after item 1 of the amendatory language:

In § 91.71, delete the figure "(a)" from the beginning of paragraph (a) and re-

designate subparagraphs "(1)" through "(5)" thereof, respectively, as (a), (b), (c), (d), and (e).

[Docket No. 9763; Amdt. 121-49]

PART 121—CERTIFICATION AND OPERATIONS: AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Clarification of Proving Tests Requirements

The purpose of this amendment of § 121.163 of the Federal Aviation Regulations is to clarify the requirement that proving tests be performed under the observation of the Administrator.

Section 121.163 now states that in addition to aircraft certification tests, an aircraft must have a set minimum number of proving test hours under the observation of the Administrator before an air carrier or commercial operator may operate the aircraft. The present wording of this section, read in light of the preamble to Amendment 121-42, published July 19, 1968, indicates that an FAA inspector must be on board the aircraft before the flight hours can be credited toward the proving test requirement. However, prior to Amendment 121-42, the FAA did not actually observe every flight. The usual proving test procedure is that an operator proposing to conduct a proving test submits a program detailing the tests and procedures to be demonstrated. The inspector then reviews the program for compliance with appropriate requirements and meets with the operator's personnel to discuss establishment of a proving test program.

The nature of the factors to be evaluated will govern the demonstrations comprising each program. In the case of an aircraft not before proven, the tests are primarily required to demonstrate aircraft reliability, while in the case of an aircraft having substantial air carrier service, but new to the operator concerned, the proving tests are essentially a demonstration of the operator's competence to handle the aircraft. In either event, the tests are conducted in accordance with a program submitted by the air carrier and acceptable to the Administrator. Under this procedure an FAA inspector determines which tests require his presence on board the aircraft as an observer in order for them to be acceptable to the Administrator, as well as those tests which are acceptable without being observed by the FAA. Therefore, § 121.163 is being amended to delete the requirement that all proving flights must be observed by the Administrator, thereby making it possible for the FAA to administer the rule in a manner consistent with established administrative procedures. To accomplish this, the words "acceptable to the Administrator" have been substituted for the words "under the Administrator's observation" in all places where they appear in the rule.

Since this amendment is clarifying in nature and does not impose a burden on the public, I find that notice and public procedure thereon are unnecessary and

that the amendment may be made effective on less than 30 days notice.

In consideration of the foregoing, § 121.163 of the Federal Aviation Regulations is amended, effective September 20, 1969, as follows:

1. By striking out the words "under the Administrator's observation" in paragraph (a) and inserting the words "acceptable to the Administrator" in place thereof.

2. By striking out the words "as determined by the Administrator" in paragraph (a).

3. By amending paragraph (b) (1) to read as follows:

(1) The aircraft has had at least 50 hours of tests acceptable to the Administrator, including a representative number of flights into enroute airports; or

(Secs. 313(a), 601, and 604 of the Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, and 1924, and of sec. 5(c) of the Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C. on August 14, 1969.

J. H. SHAFFER,
Administrator.

[F.R. Doc. 69-9939; Filed, Aug. 20, 1969; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

**Chapter I—Federal Trade Commission
PART 247—GUIDES FOR THE LADIES' HANDBAG INDUSTRY**

Notice of Extension of Effective Date

The Commission announced that the effective date of its Guides for the Ladies' Handbag Industry has been extended in one area to December 31, 1969. The extension applies to labeling requirements of in-stock handbags which were manufactured prior to the promulgation of the Guides on June 27, 1969. All other provisions of the Guides become effective on August 26, 1969, as previously announced.

Issued: August 20, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-9953; Filed, Aug. 20, 1969; 8:50 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter II—Tennessee Valley Authority

PART 301—PROCEDURES

Obtaining of Approval for Construction in the Tennessee River System

On July 24, 1969, the Board of Directors of the Tennessee Valley Authority

authorized a change in the delegation of certain duties with respect to administration of section 26a of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. 831y-1). The Board has also restricted the means of flotation acceptable on structures requiring approval under section 26a. To carry out the authorized change in delegation and to give notice of the restriction, § 301.2 is amended by revising paragraphs (e), (f), and (h) thereof and by adding to it a new paragraph (i), as follows:

§ 301.2 Obtaining of approval for construction in the Tennessee River System.

(e) *Determination of request.* Subject to the necessity for Board approval of structures coming within the terms of section 26a, administration of the handling of applications has been delegated to TVA's Division of Reservoir Properties. This division conducts preliminary investigations and conducts hearings when requested by the applicant or when the Board or the director of the division feels that a hearing is necessary in determining the issues presented by the application. Upon completion of the investigation and hearing, if any, the director makes a report to the Board and recommends approval or disapproval of the project. The Board then makes a final determination based upon the application and supporting papers, the report of investigation, the transcript of the hearing, if any be held, and the recommendation of the director.

(f) *Hearings.* (1) If the applicant requests a hearing or if the Board or director deems a hearing necessary, the director gives notice of the hearing to the applicant and to all known interested parties. The notice indicates the place and time of hearing, customarily 30 days after notice, and so far as feasible indicates the particular issues to which the hearing will pertain.

(2) Hearings may be conducted by the director and/or such other person or persons as he may designate for that purpose. Hearings are public and are conducted in an informal manner. All persons or parties having any direct interest in the construction of the project are invited to attend and participate in the hearing. They may be represented by counsel or other persons of their choosing. Technical rules of evidence are not observed although reasonable bounds are maintained as to relevancy, materiality, and competency. Evidence may be presented orally or by written statement and need not be under oath. After the hearing has been completed, additional evidence will not be received unless it presents new and material matter that could not be presented at the hearing.

(3) Where construction of the project also requires the approval of another agency of the Government before whom a hearing is to be held, the director may arrange with such agency to hold a joint hearing.

(h) *Structures within the flowage easement areas of Fort Loudoun and*

Douglas Reservoirs. The Board of Directors has established the following special provisions relating to the approval of structures to be constructed on land which is subject to flowage easements acquired by the United States and which lies above elevation 815 (expressed in feet above mean sea level) in the Fort Loudoun Reservoir on the Tennessee River and above elevation 1,002 in the Douglas Reservoir on the French Broad River, a tributary of the Tennessee River:

(2) Structures or groups of structures proposed for construction on such land, which are not designed for human habitation and are to be constructed at a cost in excess of \$1,000, and which the Director of the Division of Reservoir Properties finds will not be damaged seriously when flooded, will not require approval by the Board of Directors and may be constructed after receipt of notice from the Division of Reservoir Properties that, in the opinion of the director, the property will not be seriously damaged when flooded.

(i) **Flotation Material for Floating Structures.** Because of the hazard to navigation from metal drums that become partially filled with water and escape from docks, boathouses, houseboats, floats, and other water-use facilities on which they are used for flotation, the Board of Directors has prohibited use of metal drums for flotation of any new facilities requiring approval under section 26a of the TVA Act before being constructed or placed on any TVA reservoir. Metal drums in use on January 1, 1968, for flotation of existing facilities on TVA reservoirs must be replaced not later than January 1, 1972, with some type of permanent flotation device or material, for example, pontoons made of steel, aluminum, fibre glass, or plastic foam. Metal drums filled with plastic foam or other approved flotation material and securely fastened in place are acceptable both for flotation of new facilities and for replacement of metal drums on existing facilities.

(Sec. 26a, 49 Stat. 1079; 16 U.S.C. 831y-1)

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

Dated: August 14, 1969.

TENNESSEE VALLEY AUTHORITY,
L. J. VAN MOL,
General Manager.

[F.R. Doc. 68-9936; Filed, Aug. 20, 1969; 8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 148n—OXYTETRACYCLINE

Sterility Requirement

No comments were received in response to the notice published in the FEDERAL

REGISTER of June 14, 1969 (34 F.R. 9394), proposing that § 148n.23 of the antibiotic drug regulations be revised to make sterility a certification requirement for the subject drug. The Commissioner of Food and Drugs concludes that the proposal should be adopted as set forth below.

Therefore, pursuant to the 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 (21 CFR 2.120), § 148n.23 is revised to read as follows:

§ 148n.23 Oxytetracycline hydrochloride-hydrocortisone acetate ophthalmic and otic suspension.

(a) **Requirements for certification—**
(1) **Standards of identity, strength, quality, and purity.** Oxytetracycline hydrochloride-hydrocortisone acetate ophthalmic and otic suspension is oxytetracycline hydrochloride and hydrocortisone acetate in a suitable and harmless oil base containing aluminum tristearate. Its potency is 5 milligrams of oxytetracycline per milliliter. It contains 15 milligrams of hydrocortisone acetate per milliliter. It is sterile. Its moisture content is not more than 1 percent. The oxytetracycline hydrochloride used conforms to the standards prescribed by § 148n.2(a) (1) (i), (iii), (vi), (vii), (viii), and (ix). Each other ingredient used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) **Labeling.** It shall be labeled in accordance with the requirements of § 148.3 of this chapter. Its expiration date is 12 months.

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

(1) Results of tests and assays on:
(a) Oxytetracycline hydrochloride used in making the batch for potency, toxicity, moisture, pH, absorptivity, crystallinity, and identity.

(b) The batch for potency, sterility, and moisture.

(i) Samples required:
(a) Oxytetracycline hydrochloride used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch:
(1) For all tests except sterility: A minimum of 5 immediate containers.

(2) For sterility testing: 20 immediate containers collected at regular intervals throughout each filling operation.

(c) In case of an initial request for certification, each other ingredient used in making the batch: One package of each containing approximately 5 grams.

(b) **Tests and methods of assay—**(1) **Potency.** Proceed as directed in § 148n.1 (b)(1)(i) or (ii), except prepare the sample as follows: Place a representative portion of the sample (usually 1.0 milliliter, accurately measured) in a glass blending jar containing 1.0 milliliter of polysorbate 80 and 199 milliliters of 0.1N hydrochloric acid. Using a high-speed blender, blend the mixture for approximately 3 minutes and make proper estimated dilutions to the prescribed reference concentration in 0.1M

potassium phosphate buffer, pH 4.5. The potency is satisfactory if it is not less than 90 percent and not more than 115 percent of the number of milligrams of oxytetracycline that the suspension is represented to contain.

(2) **Sterility.** Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(2) of that section, except use 0.25 milliliter of the sample in lieu of 1 milliliter.

(3) **Moisture.** Proceed as directed in § 141a.8(b) of this chapter.

Effective date. This order shall become effective 30 days after its date of publication in the FEDERAL REGISTER.

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

Dated: August 14, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-9903; Filed, Aug. 20, 1969; 8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

In Part 200 in the Table of Contents § 200.83a is amended as follows:

Sec. 200.83a Assistant Commissioner for Property Disposition and Deputy; and Director, Albuquerque, New Mexico Insuring Office and Deputy.

In § 200.83a the heading and paragraph (a) and the introductory text of paragraph (b) are amended to read as follows:

§ 200.83a Assistant Commissioner for Property Disposition and Deputy; and Director, Albuquerque, New Mexico Insuring Office and Deputy.

(a) To the positions of Assistant Commissioner for Property Disposition and Deputy there is hereby delegated the authority to execute the functions, powers, and duties delegated to the Assistant Secretary for Mortgage Credit and Federal Housing Commissioner with respect to community disposition activities under delegation of the Secretary of Housing and Urban Development effective June 5, 1966 (31 F.R. 6839).

(b) To the positions of Director, Albuquerque, N. Mex., Insuring Office and Deputy there are delegated the following authorities with respect to the functions referred to in paragraph (a) of this section:

- (1) * * *
- (2) * * *
- (3) * * *

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61,

as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., August 14, 1969.

WILLIAM B. ROSS,
Acting Federal
Housing Commissioner.

[F.R. Doc. 69-9945; Filed, Aug. 20, 1969;
8:49 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter III—Corps of Engineers,
Department of the Army

PART 326—PUBLIC USE OF CERTAIN NAVIGABLE RESERVOIR AREAS

Claiborne and Millers Ferry Reservoir Areas

The Secretary of the Army having determined that the use of Claiborne and Millers Ferry Reservoir Areas by the general public for boating, swimming, bathing, fishing, and other recreational purposes will not be inconsistent with the operation and maintenance of the reservoirs for their primary purposes, hereby prescribes rules and regulations for their public use, adding them to the list in § 326.1(c), pursuant to the provisions of section 4 of the Flood Control Act of 1944 as amended (76 Stat. 1195), as follows:

§ 326.1 Areas covered.

(c)
ALABAMA

Claiborne Reservoir Area, Alabama River.
Millers Ferry Reservoir Area, Alabama River.

[Regs., July 24, 1969, ENG CW-OM] (Sec. 4,
58 Stat. 889, as amended; 16 U.S.C. 460d)

For the Adjutant General.

HAROLD SHARON,
Chief, Legislative & Precedent
Branch, Management Division,
TAGO.

[F.R. Doc. 69-9896; Filed, Aug. 20, 1969;
8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

National Wildlife Refuges in Certain States

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

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

ALABAMA

EUFULA NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Eufaula National Wildlife Refuge, Ala., is permitted only on those areas designated by signs as open to hunting. These open areas, comprising 306 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of mourning doves subject to the following special conditions:

(1) Hunting dates and hours are as follows:

(a) Houston Tract Unit—(central daylight saving time) October 4 (12 noon until 6:21 p.m.); October 11 (12 noon until 6:12 p.m.); October 18 (12 noon until 6:04 p.m.); October 25 (12 noon until 5:56 p.m.); (c.s.t.)—November 1 (12 noon until 4:49 p.m.); November 8 (12 noon until 4:44 p.m.).

(b) Davis Unit (c.s.t.)—December 20 (12 noon until 4:38 p.m.); December 27 (12 noon until 4:42 p.m.); and January 3, 1970 (12 noon until 4:46 p.m.).

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

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

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

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

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

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

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

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

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

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

WHEELER NATIONAL WILDLIFE REFUGE

General Conditions—Hunting shall be in accordance with applicable State regulations. Portions of the refuge which are open to hunting are designated by signs and/or delineated on maps. Maps are available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323.

Quail, rabbits, gray squirrels, raccoons, and opossum may be hunted in accordance with the following special conditions:

(1) Hunting shall be by permit only. Permits may be obtained from the Refuge Manager under prescribed conditions.

(2) Crows and foxes (nonprotected species) may be hunted during periods prescribed for other game species.

(3) Foxes may be hunted with dogs at other times of the year under conditions set forth in permits obtainable from the Refuge Manager.

(4) Gray squirrels may be hunted October 15 through 18, 1969.

(5) Raccoons and opossums may be hunted February 9 through 14, 1970.

(6) Rabbits may be hunted February 17 through 21, 1970.

(7) Quail may be hunted February 25 through 28, 1970.

(8) Both shotguns and .22 rimfire rifles may be used for squirrel hunting, but only shotguns may be used for other species listed.

(9) No hunting is permitted within 100 yards of buildings on the refuge or adjoining the refuge boundary.

FLORIDA

ST. MARKS NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the St. Marks National Wildlife Refuge, Fla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,800 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of upland game.

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

Public hunting of deer, bear, and wild hog on the St. Marks National Wildlife Refuge, Fla., is permitted only in the area designated by signs as open to hunting. This open area, comprising 1,800 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of deer, bear and wild hog.

GEORGIA

BLACKBEARD ISLAND NATIONAL WILDLIFE REFUGE

Public hunting for deer on Blackbeard Island National Wildlife Refuge, Ga., is permitted only on the area designated by signs as open to hunting. This open area, comprising 4,585 acres, is delineated on a map available at the refuge headquarters, Route 1, Hardeeville, S.C. 29927, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in

accordance with all applicable State regulations covering the hunting of deer subject to the following conditions:

(1) Deer of either sex may be taken during the following open periods: October 22-25, 1969; November 26-29, 1969; and December 30, 31, 1969, and January 1, 2, 1970.

(2) Hunting hours will be from daylight to 9:30 a.m. and from 3:30 p.m. to sunset daily.

(3) The season bag limit is two deer of either sex.

(4) Raccoons may also be taken during the above season.

(5) Only bows and arrows may be used. Bows must have not less than 40 pounds pull and arrows must be broad-head, seven-eighths inch or more in width. Firearms, crossbows, and mechanical bows are prohibited.

(6) Dogs are prohibited.

(7) Camping and fires will be permitted only at the designated camping area.

(8) Participants must arrange their own transportation to the island and may not enter the refuge more than 3 days in advance of each opening date.

(9) Hunters will be restricted to the camping area until the morning of the first day of each hunt period.

(10) A Federal permit is required. Permit applications must be received by the Refuge Manager, Savannah National Wildlife Refuge, Route 1, Hardeeville, S.C. 29927, by the following dates:

October 15 for the hunt beginning October 22;

November 19 for the hunt beginning November 26;

December 22 for the hunt beginning December 30.

PIEDMONT NATIONAL WILDLIFE REFUGE

Public hunting of white-tailed deer on the Piedmont National Wildlife Refuge, Ga., is permitted on the refuge except in those areas designated by signs as closed. The open area, comprising approximately 32,000 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) Open season and bag limit: (a) Archery hunt open October 1 through October 12, 1969. Limit of two bucks, or one buck and one doe (or antlerless deer); (b) Bucks-only hunt open November 3 and 4, 1969. Limit of two bucks; (c) Either-sex hunt open December 6, 1969. Limit of one deer of either sex.

(2) Additional species: Bobcats, foxes, and raccoons may be taken on all deer hunts.

(3) Buckshot and handguns may not be used or possessed. Target practice during the gun hunts is prohibited.

(4) All deer killed must be checked in at refuge headquarters on the same day they are killed.

(5) Dogs are prohibited.

(6) Hunters are allowed on portions of the refuge open to deer hunting from

6 a.m. to 8:30 p.m. (e.d.t.) on October 1 through 12, 1969; from 5:30 a.m. to 7 p.m. (e.s.t.) on November 3 and 4, 1969, and December 6, 1969.

(7) Camping and fires are restricted to the designated camping area in Compartment 19. The camping area will be open on the following dates: September 26 through October 13, 1969; October 24 through 27, 1969; November 2 through 5, 1969, and December 5 through 7, 1969.

(8) Hunters not having reached their 18th birthday must be under the immediate supervision of an adult.

(9) Hunting is prohibited on or from county or State maintained roads within the refuge.

(10) Firearms containing ammunition in the magazine and/or chamber are prohibited in vehicles on all roads within the refuge.

(11) Hunt permits are nontransferable.

(12) Hunters must furnish and wear either red, orange, or yellow caps, hats, vests, coats or coveralls while hunting on the refuge on November 3 and 4, 1969, and December 6, 1969.

(13) It is unlawful to drive a nail, spike, or other metal object into any tree or to hunt from any tree in which a nail, spike or other metal object has been driven.

(14) Apprehension of a permittee for any infraction of refuge regulations shall be cause for immediate revocation of his hunt permit by any officer authorized to enforce refuge regulations.

(15) All areas open for hunting may be visited for scouting purposes on September 27 and 28, 1969, and on October 25 and 26, 1969.

(16) A Federal permit is required to enter the public hunting area on November 3 and 4, 1969, and on December 6, 1969. Permits will be limited to 1,500 for the November 3 and 4, 1969, hunt and 3,000 for the December 6, 1969, hunt. Hunters will be selected by an impartial public drawing from applications received. Application for this permit must be made on the form available from the Piedmont National Wildlife Refuge, Round Oak, Ga. 31080. Completed applications must be in the office of the Piedmont National Wildlife Refuge by 4:30 p.m. (e.d.t.) on October 1, 1969. Submission of more than one application for each hunter shall be cause for rejection of all his applications and is a violation of hunt regulations. All applications must be filled out completely including State hunting license number and signature.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally as set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1970.

W. L. Towns,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 13, 1969.

[F.R. Doc. 69-9904; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING

National Wildlife Refuges in Certain States

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

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

ARIZONA AND CALIFORNIA

HAVASU NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Havasu National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 24,200 acres, is delineated on maps available at refuge headquarters, Needles, Calif., and from the Regional Director, Bureau of Sport Fisheries, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: Arizona—white-winged and mourning doves, from September 1 through September 28, 1969, inclusive; mourning doves only, from December 21, 1969, through January 11, 1970, inclusive. California—white-winged and mourning doves, from September 1 through September 30, 1969, inclusive; and November 29 through December 14, 1969, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves subject to the following special condition:

(1) Hunting is prohibited within one-fourth mile of any occupied dwelling or concession operation. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 11, 1970.

IMPERIAL NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Imperial National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 10,500 acres, is delineated on maps available at refuge headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: Arizona—white-winged and mourning doves, from September 1 through September 28, 1969, inclusive; mourning doves only, from December 21, 1969, through January 11, 1970, inclusive. California—white-winged and mourning doves, from September 1 through September 30, 1969, inclusive; and November 29 through December 14, 1969, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of

doves. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 11, 1970.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves, rails, woodcock, and Wilson's snipe on the Flint Hills National Wildlife Refuge, Kans., is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,906 acres, is delineated on maps available at refuge headquarters, Burlington, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: mourning doves, from September 1 through October 30, 1969, inclusive; rails, from September 1 through November 9, 1969, inclusive; woodcock, from October 18 through December 21, 1969, inclusive; and Wilson's snipe, from October 1 through November 19, 1969, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves, rails, woodcock, and Wilson's snipe subject to the following special condition:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 21, 1969.

KIRWIN NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Kirwin National Wildlife Refuge, Kans., is permitted from September 1 through October 30, 1969, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,300 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with applicable State and Federal regulations covering the hunting of doves. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 30, 1969.

QUIVIRA NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves, sora and Virginia rails, and gallinules on the Quivira National Wildlife Refuge, Kans., is permitted during the early teal season from September 13 through September 21, 1969, inclusive, but only on the areas designated by signs as open to hunting. This open area, comprising 7,990 acres,

is delineated on maps available at refuge headquarters, Stafford, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves, rails and gallinules.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 21, 1969.

NEW MEXICO

BITTER LAKE NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Bitter Lake National Wildlife Refuge, N. Mex., is permitted from September 1 through September 30, 1969, inclusive; and from November 29 through December 28, 1969, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,000 acres, is delineated on maps available at refuge headquarters, Roswell, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 28, 1969.

OKLAHOMA

TISHOMINGO NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Tishomingo National Wildlife Refuge, Okla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Okla., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of mourning doves subject to the following special conditions:

(1) The open season for hunting mourning doves on the refuge extends from September 1 through September 30, 1969, inclusive.

(2) A Federal permit is not required to enter the public hunting area, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested.

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

and are effective through September 30, 1969.

F. VICTOR SCHMIDT,
Acting Regional Director,
Albuquerque, N. Mex.

AUGUST 15, 1969.

[F.R. Doc. 69-9905; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

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

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

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on Prime Hook National Wildlife Refuge, Del., is permitted on Hunting Areas A and B within the regularly established 1969-70 hunting seasons of the State of Delaware. This open upland game hunting area, comprising approximately 6,100 acres, is delineated on maps available at refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in title 50, Code of Federal Regulations, Part 32, and are effective through April 30, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau
of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9912; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING

Bombay Hook National Wildlife Refuge, Delaware

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

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

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on Bombay Hook National Wildlife Refuge, Del., is permitted during the regular State seasons on the upland game hunting area designated by signs as open to hunting. This open upland game hunting area, comprising 141 acres, is delineated on maps available at refuge headquarters,

Smyrna, Del. 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in title 50, Code of Federal Regulations, Part 32, and are effective through April 30, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9907; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Delaware

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

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

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

Public hunting of deer on Prime Hook National Wildlife Refuge, Del., is permitted within the regularly established 1969-70 hunting season of the State of Delaware. This open deer hunting area, comprising approximately 6,100 acres, is delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in title 50, Code of Federal Regulations, Part 32, and are effective through November 15, 1969.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9908; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Delaware

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

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

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

The public hunting of migratory birds on Prime Hook National Wildlife Refuge is permitted within the regularly established 1969-70 Waterfowl Hunting Season of the State of Delaware, but only within the 2,526 acre waterfowl hunting area as delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all applicable Federal and State regulations covering the hunting of migratory birds subject to the following special conditions:

(1) A Federal permit is required to enter the waterfowl hunting area. Permits may be obtained in person at the combined Federal-State checking station, intersection of Routes 5 and 14, from 2 hours before legal shooting time until 3 p.m., e.s.t., throughout the hunting season, and surrendered at the checking station within 1 hour after the close of legal shooting hours.

(2) Hunting shall be only from blinds at locations designated by refuge personnel. The possession of a loaded gun or shooting outside of a blind while hunting migratory game birds is prohibited.

(3) Access to the waterfowl hunting area will be at the refuge headquarters, and other designated access points.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9909; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING

Bombay Hook National Wildlife Refuge, Delaware

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

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

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, brant, and coots on the Bombay Hook National Wildlife Refuge, Del., is permitted on areas designated by signs as open to hunting including the South Public

Hunting Area, the West Public Hunting Area, the Youth Hunt Area, and the Upland Game Hunting Area. These open areas are delineated on maps available at the refuge headquarters, Smyrna, Del., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, brant, and coots subject to the following special conditions:

(1) Hunting is permitted on the West Public Hunting Area from one-half hour before sunrise to 12 noon local standard time, Tuesdays, Thursdays, and Saturdays during the goose season.

(2) Hunting in the South, West, and Youth Hunt Public Hunting Areas shall be from existing numbered blinds. The possession of a loaded gun or shooting while outside of a blind is prohibited on these areas.

(3) No person shall have in his possession or use in one day more than 10 shells on the West Public Hunting Area.

(4) The necessary permit to enter the South Public Hunting Area may be obtained from one hour before shooting time until 3 p.m. local standard time at the checking station located at Port Mahon. The necessary permit to enter the West Public Hunting Area may be obtained by applying to the Refuge Manager for advance reservation. The permits for advance reservations will be canceled if the holder is not present one hour prior to the start of legal shooting time on the date of his reservation. These forfeited permits and permits not reserved by advance reservation will be awarded to other hunters by lot on the morning of the hunt. All hunters will check out through the headquarters checking station prior to leaving the refuge.

(5) Each hunting permittee using the West Public Hunting Area will pay a blind fee of \$5 on the day of the hunt. A User Fee of \$1 per hunter will be charged on the South Public Hunting Area.

(6) Not more than four persons may occupy a blind at any one time on the West Public Hunting Area nor more than three on the South Public Hunting Area.

(7) The Youth Hunt Area will be open on Saturdays and holidays to young hunters who present evidence of having completed the prescribed training program. Two youths accompanied by an instructor who may not discharge a firearm may use one blind.

The provisions of this special regulation supplement the regulations which govern hunting of wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9910; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING**Bombay Hook National Wildlife Refuge, Del.**

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

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

DELAWARE**BOMBAY HOOK NATIONAL WILDLIFE REFUGE**

The public hunting of rails and gallinules, mourning doves, woodcock, and common snipe on Bombay Hook National Wildlife Refuge is permitted within the regularly established 1969-70 seasons of the State of Delaware; but only on the area designated by signs as open to hunting. This open area, comprising 141 acres, is delineated on a map available at the refuge headquarters, Smyrna, Del. 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable Federal and State regulations covering the hunting of rails and gallinules, mourning doves, woodcock, and common snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1969.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9911; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING**Bombay Hook National Wildlife Refuge, Del.**

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

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

DELAWARE**BOMBAY HOOK NATIONAL WILDLIFE REFUGE**

Public hunting of deer with shotguns on the Bombay Hook National Wildlife Refuge, Del., is permitted only on the deer hunting area and upland hunting area designated by signs as open to hunting. These open deer hunting areas are delineated on maps available at refuge headquarters, Smyrna, Del. 19977 and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of deer with firearms subject to the following special condition:

(1) A Federal permit is required and may be obtained by applying to the Refuge Manager in writing for an advance reservation. An individual with an advance reservation will forfeit his permit if he is not present 1 hour prior to the start of legal shooting time on the date of his reservation. These forfeited permits and permits not reserved by advance reservations will be awarded to other hunters by lot one-half hour before the start of legal shooting time. The number of hunters admitted to the open area at one time will be restricted to 50 and a User Fee of \$1.00 per hunter will be charged. Permits must be surrendered prior to departure from the refuge and deer taken must be checked out at refuge headquarters.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9906; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING**Certain National Wildlife Refuges**

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

KENTUCKY**REELFOOT NATIONAL WILDLIFE REFUGE**

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

Raccoons

(1) Raccoons may be taken without limit on the refuge area from September 22 through September 27, 1969, and October 6 through October 11, 1969.

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

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

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

(5) A Federal permit will not be required; however, all hunters will be required to check in and check out at the designated check station, the location of which may be obtained from the

Refuge Manager, Reelfoot National Wildlife Refuge, Samburg, Tenn. 38254.

Squirrels

(1) Squirrels may be hunted on the refuge from September 15 through September 20, 1969, and from September 29 through October 4, 1969.

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

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

(4) Dogs are not permitted.

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

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 11, 1969.

TENNESSEE**REELFOOT NATIONAL WILDLIFE REFUGE**

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

Raccoons

(1) Raccoons may be taken without limit on the Grassy Island area of the refuge on September 22, 24, and 26, 1969, and October 6, 8, and 10, 1969. Raccoons may be taken without limit on the North Unit of the refuge from September 22 through September 27, 1969, and October 6 through October 11, 1969.

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

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

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

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

Squirrels

(1) Squirrels may be hunted on the refuge from September 15 through September 20, 1969, and from September 29 through October 4, 1969.

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

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

(4) Dogs are not permitted.

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

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 11, 1969.

LAKE ISOM NATIONAL WILDLIFE REFUGE

Public hunting of squirrels and raccoons on Lake Isom National Wildlife Refuge, Tenn., is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,350 acres, is delineated on maps available at refuge headquarters, Samburg, Tenn., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations subject to the following special conditions:

Squirrels

- (1) Squirrels may be hunted on the refuge from September 15 through September 20, 1969, and from September 29 through October 4, 1969.
- (2) The hunting of crows, woodchucks, and gray foxes, without limit, is permitted during the refuge squirrel hunt.
- (3) Only shotguns incapable of holding more than three shells and 22 caliber rifles are permitted.
- (4) Dogs are not permitted.
- (5) A Federal permit is not required to enter the public shooting area.

Raccoons

- (1) Raccoons may be taken without limit on the refuge on September 23, 25, and 27, 1969, and October 7, 9, and 11, 1969.
 - (2) Hunting hours shall be from 7:30 p.m. to 12:30 a.m.
 - (3) The use of dogs and guns is permitted.
 - (4) No axes, saws, or other cutting implements will be permitted.
 - (5) A Federal permit will not be required; however, all hunters will be required to check in and check out at the designated check station, the location of which may be obtained from the Refuge Manager, Reelfoot National Wildlife Refuge, Samburg, Tenn. 38254.
- The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 11, 1969.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 15, 1969.

[F.R. Doc. 69-9959; Filed, Aug. 20, 1969; 8:50 a.m.]

PART 32—HUNTING

Moosehorn National Wildlife Refuge, Maine

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

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

MAINE

MOOSEHORN NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Moosehorn National Wildlife Refuge, Maine, is permitted, except on areas designated by signs as closed, during the State firearms season. This open area, comprising 21,000 acres, is delineated on maps available at refuge headquarters, Post Office Box X, Calais, Maine 04619, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1969.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JUNE 24, 1969.

[F.R. Doc. 69-9914; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Parker River National Wildlife Refuge, Mass.

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

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

MASSACHUSETTS

PARKER RIVER NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese (except snow geese), brant, and coots on the Parker River National Wildlife Refuge, Mass., is permitted only on the areas designated by signs as open to hunting. These open areas, comprising 1,085 acres, and known as the Pine Island Hunting Area, Parker River Hunting Area, Nelson's Island Hunting Area, and the Youth Hunting Area, are delineated on maps available at refuge headquarters, Newburyport, Mass., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, brant, and coots, subject to the following special conditions:

- (1) The number of hunters on the Pine Island Area will be limited to 25 each day, Parker River Area to 50 each day, and the Nelson's Island Area to 50 each day. Participation will be on a first-come, first-served basis from Monday through Friday, except holidays. Participation on Saturdays and holidays will be by advance permit.

(2) The Youth Hunting Area will be open during the regular State waterfowl season for Young Waterfowl trainees on selected Saturdays in October and November under the provisions and limitations of this special program. Literature describing this program is also available.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 30, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9913; Filed, Aug. 20, 1969; 8:46 a.m.]

PART 32—HUNTING

Yazoo National Wildlife Refuge, Miss.

The following special regulations are issued and are effective upon publication in the FEDERAL REGISTER.

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

Public hunting of squirrels and raccoons on the Yazoo National Wildlife Refuge, Miss., is permitted on all the refuge except for that area which lies within 250 yards of the refuge headquarters, personnel housing, or equipment buildings. This open area, comprising approximately 7,000 acres, is delineated on a map available at the refuge headquarters, Route 1, Hollandale, Miss. 38748, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of squirrels and raccoons, subject to the following special conditions:

- (1) The open season for squirrels extends from October 20 through November 1, 1969, Sundays excluded; and the open season for raccoons extends from December 1 through December 13, 1969; Sundays excluded.
- (2) No dogs permitted during the squirrel hunt; however, dogs may be used in the process of taking raccoons.
- (3) Raccoon hunting permitted from dark to daylight only.
- (4) Firearms limited to 10 gauge shotguns or smaller (buckshot and slugs prohibited), and .22 caliber rifles or pistols (rimfire only).
- (5) No firearms may be discharged within 250 yards of Refuge headquarters or residences.
- (6) Carrying of loaded firearms in vehicles is prohibited and shooting from vehicles or shooting from or across State or County roads is prohibited.

§ 32.32 Special regulations governing the hunting of big game on national wildlife refuges.

Public hunting of deer on the Yazoo National Wildlife Refuge is permitted

RULES AND REGULATIONS

only on the areas designated by signs as open to hunting. This open area, comprising approximately 7,000 acres is delineated on a map available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all State regulations governing the hunting of deer subject to the following special conditions:

(1) Open Season: Archery—October 1-18 and November 5-19, 1969. Gun—December 29, 1969—January 3, 1970. Sundays excluded.

(2) Bag Limit—One deer of either sex during each hunt period. Maximum two deer per season.

(3) Weapons, Archery—Longbows only, crossbows prohibited. No firearms permitted on the refuge during the archery hunt. Gun—Only 10-gauge, 12-gauge, 16-gauge, or 20-gauge shotguns or rifles larger than .22 caliber may be used.

(4) A refuge deer hunting permit is required for the gun hunt.

(5) Firearms may not be discharged within 250 yards of residences or the refuge headquarters. The carrying of loaded firearms in vehicles, and shooting from or across county or State roads is prohibited.

(6) All deer killed must be checked out at a refuge checking station.

(7) Hunters may enter the hunting area no earlier than 1 hour before sunrise and must depart the hunting area no later than 1 hour after sunset.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 3, 1970.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 12, 1969.

[F.R. Doc. 69-9915; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Certain National Wildlife Refuges in Nevada

The following regulations are issued and are effective on date of publication in the FEDERAL REGISTER. These regulations apply to public hunting on portions of certain National Wildlife Refuges in Nevada.

General Conditions: Hunting shall be in accordance with applicable State regulations. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. No vehicle travel is permitted except on maintained roads and trails. Special conditions applying to individual refuges are listed on the reverse side of maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Ore. 97208.

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

Migratory game birds may be hunted on the following refuges:

Fallon National Wildlife Refuge, Post Office Box 592, Fallon, Nev. 89406.

Pahrnagat National Wildlife Refuge, Post Office Box 440, Las Vegas, Nev. 89101.

Special Condition: The use of motors on boats is not permitted.

Ruby Lake National Wildlife Refuge, Ruby Valley, Nev. 89833.

Special Condition: Waterfowl only may be hunted.

Stillwater Wildlife Management Area, Post Office Box 592, Fallon, Nev. 89406.

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

Upland game may be hunted on the following refuge areas:

Fallon National Wildlife Refuge, Post Office Box 592, Fallon, Nev. 89406.

Pahrnagat National Wildlife Refuge, Post Office Box 440, Las Vegas, Nev. 89101.

Charles Sheldon Antelope Range, Nev. (Headquarters: Post Office Box 111, Lakeview, Ore. 97630.)

Stillwater Wildlife Management Area, Post Office Box 592, Fallon, Nev. 89406.

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

Big game animals may be hunted on the following refuge areas:

Desert National Wildlife Range, 1500 North Decatur Boulevard, Las Vegas, Nev. 89108.

Special Condition: Desert bighorn sheep only.

Charles Sheldon Antelope Range, Nev. (Headquarters: Post Office Box 111, Lakeview, Ore. 97630.)

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally and which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1970.

TRAVIS S. ROBERTS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife, Portland, Ore.

AUGUST 15, 1969.

[F.R. Doc. 69-9916; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Iroquois National Wildlife Refuge, N.Y.

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

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

NEW YORK

IROQUOIS NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Iroquois National Wildlife Refuge, N.Y., is per-

mitted during the regular State open seasons in 1969 except on areas designated by signs as closed. This open area comprising 10,383 acres is delineated on maps available at refuge headquarters, Basom, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1969.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9917; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Iroquois National Wildlife Refuge, N.Y.

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

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

NEW YORK

IROQUOIS NATIONAL WILDLIFE REFUGE

The public hunting of woodcock and common (Wilson's) snipe on the Iroquois National Wildlife Refuge, N.Y., is permitted on the area designated by signs as open to hunting. This open area is delineated on maps available at the refuge headquarters, Basom, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of woodcock and snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1969.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9918; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Iroquois National Wildlife Refuge, N.Y.

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

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

NEW YORK

IROQUOIS NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Iroquois National Wildlife Refuge, Basom, N.Y. is permitted from the opening dates of the respective State seasons in 1969 through February 28, 1970, except on areas designated by signs as closed. This open area comprising 10,383 acres is delineated on maps available at refuge headquarters, Basom, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations subject to the following special condition.

(1) A seasonal permit is required for the night-time hunting of raccoon. Permits may be obtained by applying in person at the refuge office.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 28, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9919; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Erie National Wildlife Refuge, Pa.

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

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

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Public hunting of all migratory birds on the Erie National Wildlife Refuge is permitted in accordance with all applicable State and Federal regulations. Such hunting is permitted only on the designated Migratory Game Bird Hunt-

ing Area. This area is delineated on maps available at refuge headquarters, Guys Mills, Pa., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 30, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9920; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Erie National Wildlife Refuge, Pa.

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

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

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Erie National Wildlife Refuge, Pa., is permitted. The open hunting area is delineated on maps available at refuge headquarters, Guys Mills, Pa., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 10, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9921; Filed, Aug. 20, 1969; 8:47 a.m.]

PART 32—HUNTING

Erie National Wildlife Refuge, Pa.

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

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

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Public hunting of small game and unprotected species on the Erie National Wildlife Refuge, Pa., is permitted only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Guys Mills, Pa., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all applicable State regulations governing hunting of small game and unprotected species subject to the following special conditions:

(1) The open season for hunting unprotected species on the refuge extends from September 1, 1969, through March 15, 1970.

(2) That portion of the refuge situated between Pennsylvania Routes 27 and 173, is closed to hunting with firearms from September 1, 1969, through November 25, 1969.

The provisions of this special regulation supplement the regulations governing hunting of wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through March 15, 1970.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9922; Filed, Aug. 20, 1969; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 993]

DRIED PRUNES PRODUCED IN CALIFORNIA

Notice of Proposed Expenses of the Prune Administrative Committee for the 1969-70 Crop Year and Rate of Assessment for that Crop Year

Notice is hereby given of a proposal regarding expenses of the Prune Administrative Committee for the 1969-70 crop year and rate of assessment for that crop year, pursuant to §§ 993.80 and 993.81 of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Prune Administrative Committee has recommended for the crop year beginning August 1, 1969, a budget of expenses and an assessment rate of \$1.10 per ton of assessable prunes. Expenses in the amount of \$124,500 and the assessment rate are specified in the proposal hereinafter set forth. The assessable tonnage is estimated by the Committee at 113,199 natural condition tons.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 8th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 993.320 Expenses of the Prune Administrative Committee and rate of assessment for the 1969-70 crop year.

(a) *Expenses.* Expenses in the amount of \$124,500 are reasonable and likely to be incurred by the Prune Administrative Committee during the crop year beginning August 1, 1969, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of the marketing agreement, as amended, and this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for such crop year which each handler is required, pursuant to § 993.81, to pay to the Prune Administrative Com-

mittee as his pro rata share of the said expenses is fixed at \$1.10 per ton of salable prunes handled by him as the first handler thereof.

Dated: August 15, 1969.

FLOYD F. HEDLUND,
Director,

Fruit and Vegetable Division.

[F.R. Doc. 69-9943; Filed, Aug. 20, 1969;
8:49 a.m.]

[7 CFR Part 1138]

[Docket No. AO 335-A14]

MILK IN RIO GRANDE VALLEY MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

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 at Albuquerque, N. Mex., on June 24, 1969, pursuant to notice thereof issued on June 10, 1969 (34 F.R. 9394).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on July 25, 1969 (34 F.R. 12445; F.R. Doc. 69-8956), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings and general findings of the recommended decision (34 F.R. 12445; F.R. Doc. 69-8956) are hereby approved, adopted and are set forth in full herein subject to the following modification:

1. Under issue 2 "Partial payments" a fourth paragraph is added.

The material issues on the record of the hearing relate to:

1. Whether credits for certain Class II uses of producer milk should be continued after August 1969.

2. Clarification of provisions specifying partial payments to producers.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Credits for certain Class II uses.* The temporary pricing provisions applicable to certain Class II uses of producer milk should be continued through August 1970. The expiration date for the special pricing, if not extended, is August 31, 1969.

The special pricing is provided in terms of credits allowed the handler in

certain Class II uses of producer milk. These credits result in no charge for skim milk dumped or disposed of for animal feed. The credit allowed on condensed skim milk and milk or skim milk transferred or diverted out of the marketing area results in a charge of 40 cents per hundredweight for the skim milk content as compared to the regular Class II value of skim milk which was \$1.285 in May 1969. The quantity on which the credits apply is subject to an allocation of producer milk first to Class II uses not subject to these credits.

The continuation of the credits through August 1970 was proposed by Milk Producers, Inc., a cooperative which supplies about 65 percent of the milk in the market. The cooperative asserted that there is still need to transfer to distant manufacturing plants milk which handlers in the marketing area do not accept at their pool plants. The special pricing, the cooperative stated, is needed to compensate for the expense of transportation and handling incurred in this operation. Continuation also was urged of the credit for skim milk dumped or used for livestock feed to encourage pool handlers to use producer milk as a source of cream for ice cream.

A handler also supported continuation of the special pricing.

In prior decisions (31 F.R. 4732, 32 F.R. 3298, and 33 F.R. 12254) the reasons were given for the special pricing which began in April 1966. The credits are intended to promote the orderly handling of reserve milk above that for which handlers have use in pool plants. There is a need to continue these credits for a further temporary period. The conditions requiring this special pricing still exist although the quantity of milk which must be handled subject to such pricing is diminished.

In every fluid milk market a reserve of producer milk in excess of handlers' Class I use is needed to assure an adequate supply. This is because handlers' use of milk for Class I processing varies, particularly as to days of the week and seasonally. Seasonal changes in production also may result in milk produced in excess of immediate needs of handlers, but such seasonality is minimal in this market.

The problem peculiar to this market is that only very limited manufacturing facilities exist within the marketing area which is also the primary production area. Milk in excess of quantities accepted by pool handlers must therefore be transferred out of the marketing area. Nonpool manufacturing facilities, however, are available only at distant locations.

While some Class II use is made of producer milk in the ice cream and cottage cheese operations of pool handlers, these types of utilization are limited to

marketing area demand for these products. The credit for dumping skim milk and for disposition in livestock feed encourages handlers with ice cream operations to use producer milk as a source of cream although such handlers may have no economic use for most of the skim milk. Producers are thus provided a return at pool plants for at least part of the milk which must go into Class II uses. In the January-May period of 1969, use in ice cream was about 18 percent of all Class II use of producer milk. This outlet would be largely eliminated without the credit since handlers would then turn to other sources for cream.

The relatively limited Class II operations in handlers' pool plants do not provide an outlet for all of marketing area production which is in excess of handlers' fluid needs. Transfer or diversion of milk to distant manufacturing plants is, therefore, the only method of obtaining an economic use of substantial quantities of milk originating from farms in the marketing area.

The magnitude of the problem of disposing of reserve milk is somewhat diminished, however, compared to a year ago. Skim milk dumped or disposed of for livestock feed in January through May of 1969 was 2,693,892 pounds, down from 4,198,919 in January-May 1968. The quantity transferred or diverted outside the marketing area was 11,804,406 in January-May 1969, down from 21,406,998 in the same months of 1968.

The decrease in quantities of Class II milk disposed of under these provisions results from a greater use by pool handlers of marketing area production and less use of out-of-area production. One large handler changed his supply to marketing area production beginning in December 1968. Prior to this he had relied on an out-of-area source. There was a decline of 14.6 million pounds in the quantity of out-of-area producer milk delivered in the January-May 1969 period compared to the same months a year before. This decrease was very close to the change in all producer milk delivered, from 152 million pounds in these months of 1968 to 137 million pounds in the same months of 1969.

Fluctuations in marketing area production have been minor and therefore have not been a reason for changes in quantities of reserve milk on the market. Monthly deliveries averaged 24.0 million pounds in 1967, 24.8 million pounds in 1968, and 24.3 million pounds in January-May 1969. Milk delivered from farms in the marketing area approximates 90 percent of all producer milk in the market.

Because of the limited uses pool handlers have for Class II milk, it is still necessary that some milk be moved to plants outside the marketing area to achieve an economic use. During the January-May 1969 period, an average of 2.4 million pounds monthly was so disposed of. This was 37 percent of all Class II producer milk.

As the primary agent in balancing milk supplies with handlers' needs, Milk Producers, Inc., necessarily incurs the main burden of handling the milk for which

handlers have no immediate use. Its members provide 65 percent of the market supply. Most of this (95 percent) is produced in the marketing area.

The arrangement by the cooperative for transporting reserve milk out of the marketing area to nonpool manufacturing plants is primarily by movement through its plant at El Paso, Tex. This plant serves a dual market function: it assembles milk supplies to meet fluid requirements of pool plants in the marketing area and it ships excess milk to nonpool manufacturing plants outside the marketing area. The plant does no processing and contains only receiving and storage facilities.

From this plant the milk is moved to a manufacturing plant operated by the cooperative at Muenster, Tex., a distance of about 570 miles. The Muenster plant is the nearest manufacturing plant operated by the cooperative and capable of handling the milk from this market. Two plants at La Grange and Ballinger in Texas, previously used as outlets, have been closed. Another plant at Mangum, Okla., to which limited quantities were shipped in prior years, does not have sufficient capacity to handle the milk from this market.

Proponent cooperative stated that a 1-year extension of the special Class II price provisions which apply to milk moved out of the marketing area would be sufficient. The cooperative operates a base plan designed to adjust the production of producer members in line with the needs of handlers served by the cooperative. With another year of operation of the base plan, it was expected that the volume of reserve milk which needs to be handled in the manner described would be substantially reduced. With respect to the credit allowed for skim milk dumped or disposed of for animal feed, there was no prospect expressed by proponent of less need for this credit in future periods.

It is concluded that conditions in the market require continuation of the Class II credits for a further temporary period. A 1-year extension should be provided. There was no opposition to the proposal for extending the Class II credits for another year in the present form.

2. *Partial payments.* In the provisions for payments to producers, the term "partial payment" should be substituted for the term "advance payment."

The order requires each handler to pay each producer before the end of the month with respect to milk delivered during the first 15 days of the month at a rate which is the uniform price for the preceding month, less 30 cents for March receipts and plus 30 cents for July receipts. The order further provides that when the handler completes payment for all milk delivered during the month, he is given credit for the payment he made for milk delivered during the first 15 days of the month.

It should be made clear that the payment, although calculated from the quantity delivered in the first 15 days in the month, is in fact a partial payment for the entire quantity of milk delivered in the month. Also, the term "partial

payment" is more descriptive of the type of payment to which reference is made and this term should be substituted for "advance payment" in § 1138.80 (a) and (b). The order specifies that these payments shall be made only to each producer who has not discontinued shipping to such handler before the 28th day of the month. Thus, the money calculated using the quantity of milk delivered during the first 15 days of the month would not in any case be as much as the handler's obligation for all milk the producer has delivered up to the time of the payment.

The 30 cent adjustments in the partial payments for March and July no longer serve a useful purpose and should be eliminated. Originally these adjustments were designed to effect changes in the rate of partial payment simultaneous with the regular seasonal changes in the Class I price (27 F.R. 4388). The provision for partial payment should have been modified when the seasonal changes in the Class I price were removed effective May 1, 1967 (32 F.R. 6606). No change in the total obligation of the handler or in the returns to a producer for the milk delivered in March or July will result from elimination of these adjustments.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. 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 the aforesaid order and of the previously issued amendments thereto; and all of 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.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) 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 marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be 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

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Rio Grande Valley Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Rio Grande Valley Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered. That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of June 1969 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended as hereby proposed to be amended, regulating the handling of milk in the Rio Grande Valley marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on August 18, 1969.

RICHARD E. LYNG,
Assistant Secretary.

Order Amending the Order Regulating the Handling of Milk in the Rio Grande Valley Marketing Area

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 the aforesaid order, and of the previously issued amendments thereto; and all of 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.

(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 agreement and to the order regulating the handling of milk in the Rio Grande Valley marketing area. 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.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Rio Grande Valley marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on July 25, 1969, and published in the FEDERAL REGISTER on July 30, 1969 (34 F.R. 12445; F.R. Doc. 69-8956), shall be and are the terms and provisions of this order, and are set forth in full herein:

1. In § 1138.55, the introductory text preceding paragraph (a) is revised to read as follows:

§ 1138.55 Credit for specified Class II uses.

From the effective date hereof through August 1970, producer milk classified as Class II milk in the following utilizations shall be subject to a credit at the respective rates specified:

2. In § 1138.80, paragraph (a) is revised to read as follows:

§ 1138.80 Payments to producers.

(a) On or before the last day of the month, to each producer who had not discontinued shipping milk to such handler before the 28th day of the

month, a partial payment equal to the uniform price for the preceding month multiplied by the hundredweight of milk delivered during the first 15 days of the current month less authorized deductions;

3. In § 1138.80(e), subparagraphs (1) and (2) are revised to read as follows:

§ 1138.80 Payments to producers.

(e) * * *

(1) A partial payment in the amount specified in paragraph (a) of this section; and

(2) In making final settlement, the value of such milk at the applicable uniform price, less the amount of partial payment made on such milk.

[F.R. Doc. 69-9964; Filed, Aug. 20, 1969; 8:51 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration
[49 CFR Ch. III]

INFLATABLE OCCUPANT RESTRAINT SYSTEMS

Notice of Agenda for Public Meeting

On July 17, 1969, a notice was published, announcing a public meeting to be held in Washington, D.C., on August 27, 1969, on the subject of inflatable and other passive restraint systems for occupants of certain motor vehicles (34 F.R. 12107). Interested persons were invited to attend and to make presentations at the meeting.

Because of the widespread interest in attending and participating in the meeting, and in order to enable interested persons to schedule their attendance, the agenda for the meeting is set forth below. The agenda reflects the fact that all requests for time to make presentations have been granted. Because of the numerous requests for permission to make formal presentations, it was necessary to schedule a 2-day meeting.

(Secs. 103 and 119, National Traffic and Motor Vehicle Safety Act of 1966; 15 U.S.C. 1392, 1407; 49 CFR 353.27)

Issued on August 15, 1969.

ROBERT BRENNER,
Acting Director,
National Highway Safety Bureau.
INFLATABLE OCCUPANT RESTRAINT SYSTEMS
MEETING

Department of Commerce Auditorium, 14th and E Streets NW., Washington, D.C.

AUGUST 27, 1969

9:00-9:15--- Introductory remarks by
Chairman.
9:15-10:15... National Highway Safety In-
stitute of the National
Highway Safety Bureau
10:15-10:30.. Recess
10:30-10:50.. Energy Systems Div., Olin
Mathieson Chemical Cor-
poration

AUGUST 27, 1969—Continued

10:50-11:10... Enterprise, Inc., Dallas, Texas
 11:10-11:30... Atlantic Research Corporation
 11:30-11:45... Ensign and Bickford, Dales Div. Div.
 11:45-1:15... Lunch
 1:15-1:45... Dr. David Foster
 1:45-2:15... Highway Safety Research Institute, University of Michigan
 2:15-2:30... Miss Marilyn Lott
 2:30-2:45... American Automobile Association
 2:45-3:00... Recess
 3:00-3:15... National Association of School Bus Contract Operators
 3:15-3:25... Mr. Karl E. Smith
 3:25-3:55... Eaton, Yale and Towne, Inc.
 3:55-4:25... Chrysler Corporation
 4:25-4:45... Professor L. L. Patrick

AUGUST 28, 1969

9:00-9:15... Opening remarks by Chairman
 9:15-9:45... Volkswagen of America, Inc.
 9:45-11:30... General Motors Corporation
 11:30-1:00... Lunch
 1:00-1:15... Mercedes-Benz of North America Inc.
 1:15-1:30... Ford Motor Co.
 1:30-5:00... Questions and Answers
 [F.R. Doc. 69-9944; Filed, Aug. 20, 1969; 8:49 a.m.]

3. The existing schedules affected by these changes are as follows:

Schedule heading	Page	New page	Old page
FPC Form No. 1:			
Important Changes During Year.....	108		
Prepayments.....	Deleted		
Investment Tax Credits Generated and Utilized.....	228		
Electric Operating Revenues.....	409		
Rents Charged to Electric Operating Expenses (Changed to "Rents Charged").....	421		
Interchange Power.....	424		
Franchise Requirements.....	426		
Substations.....	445		
Conduit, Underground Cable, and Submarine Cable.....	Deleted		
FPC Form No. 2:			
Nonutility Property.....	201		
Accumulated Provision for Amortization and Depletion of Producing Natural Gas Land and Land Rights.....	509		
Accumulated Provision for Amortization of Underground Storage Land and Land Rights.....	510		
Gas Operating Revenues.....	514		
Rents Charged to Gas Operating Expenses (Changed to "Rents Charged").....	533		
Exchange Gas Accounting.....	538		
Natural Gas Land Acreage.....	547		
Natural Gas Reserves (Merged with schedule above).....	548		
Natural Gas Production.....	Deleted		
Statistics.....	Deleted		
Number of Gas and Oil Wells.....	558		
Field and Storage Lines.....	559		
FPC Forms Nos. 1 and 2:			
General Information.....		101	101
Materials and Supplies.....		207	207
Plant Materials and Operating Supplies.....		207	208
Production Fuel and Oil Stocks.....		209	209
Clearing Accounts.....		213	213
Miscellaneous Deferred Debits.....		214	214
Cover Page.....			

¹ Deleted.

4. The amendment to the Commission's regulations under the Federal Power Act and to FPC Form No. 1 would be issued under the authority granted the Federal Power Commission by the Federal Power Act, particularly sections 301, 304, and 309 (49 Stat. 838, 854, 855, 858, 16 U.S.C. §§ 825, 825c, 825h).

5. The amendment to the Commission's regulations under the Natural Gas Act and to FPC Form No. 2 would be issued under the authority granted the Federal Power Commission by the Natural Gas Act, particularly sections 8, 9(b), 10, and 16 thereof (52 Stat. 825, 826, 830; 15 U.S.C. section 717g, 717h(b), 717i, and 717o).

6. Accordingly, it is proposed to amend Parts 141.1 and 260.1, Chapter I, Title 18 of the Code of Federal Regulations, in the manner set forth in Attachments A,¹ B¹ and C.¹

7. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than September 5, 1969, data, views, comments, and suggestions, in writing, concerning the proposed revised report forms and regulations. An original and 14 conformed copies should be filed with the Commission. In addition, interested persons wishing to have their comments considered in the clearance of the proposed report form revision under the provisions of the Federal Reports Act of 1942 may at the same time submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Standards, Bureau of the Budget, Washington, D.C. 20503. Submissions to the Commission should indicate the name and address of the person to whom correspondence in regard to the proposal should be addressed, and whether the person filing them requests a conference at the Federal Power Commission to discuss the proposed revision in the report form. The

¹ Filed as part of the original document.

Commission will consider all such written submissions before acting on the matters herein proposed.

By direction of the Commission.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-9898; Filed, Aug. 20, 1969; 8:45 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 141, 260]

[Docket No. R-366]

ANNUAL REPORTS

Notice of Proposed Rulemaking

AUGUST 14, 1969.

1. Pursuant to the Administrative Procedure Act, 5 U.S.C. 553, the Commission gives notice it proposes to revise, effective for the reporting year 1969:

a. Certain schedules of the FPC Form 1, Annual Report for Electric Utilities and Licensees, Class A and Class B, prescribed by section 141.1, Chapter I, Title 18, CFR.

b. Certain schedules of the FPC Form 2, Annual Report for Natural Gas Companies, Class A and Class B, prescribed by section 260.1, Chapter I, Title 18, CFR.

c. Certain schedules identical in both of the above annual report forms.

2. The Commission proposes to modify a number of the schedules contained in its annual report forms. The principal revisions in FPC Form No. 1 include a requirement of additional information on generating plant units placed in service in the Schedule for Important Changes During Year, elimination of the Prepayments Schedule, and an increase in the reporting limit from \$10,000 to \$25,000 in the Franchise Requirements Schedule. The main changes in FPC Form No. 2 are a change in reporting requirements concerning several categories of property from a producing area basis to a State basis, a change of the title of the Rents Charged to Gas Operating Expenses Schedule to obtain information on all rents and a merger of the Natural Gas Land Acreage and Natural Gas Reserves Schedules into one schedule. Certain minor changes are made in schedules that are identical in both FPC Nos. 1 and 2.

FEDERAL HOME LOAN BANK BOARD

[12 CFR Parts 545, 555]

[No. 23,260]

FEDERAL SAVINGS AND LOAN SYSTEM

Proposed Amendments Relating to Services Rendered by Federal Savings and Loan Associations

AUGUST 13, 1969.

Resolved That, pursuant to Part 508 of the General Regulations of the Federal Home Loan Bank Board (12 CFR Part 508), the Federal Home Loan Bank Board considers it advisable to amend Parts 545 and 555 of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 545 and 555) for the following purposes:

1. To implement the last sentence of subsection (b)(1) of section 5 of the Home Owners' Loan Act of 1933 as added by section 1716 of the Housing and Urban Development Act of 1968, Public Law 90-448, 90th Congress, approved August 1, 1968, by providing for the withdrawal or transfer of savings accounts in Federal savings and loan associations upon nontransferable order or authorization.

2. In order to increase the effectiveness of Federal savings and loan associations in encouraging thrift by making their facilities available to the public generally, to authorize such associations

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1056]

[Ex Parte MC-19 (Sub-No. 7)]

MOTOR CARRIERS OF HOUSEHOLD GOODS

Notice of Proposed Rule Making

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 8th day of August 1969.

It appearing, that some motor common carriers of household goods currently participate in joint rates and other charges with other such carriers and that such rates and charges are on a different basis from local rates and charges maintained by those carriers for the transportation of the same commodities between the same points in the same direction;

It further appearing, that by petition filed on April 29, 1969, the Household Goods Carriers' Bureau prays that the Commission consider a new subpart to the rules and regulations of the Commission to be numbered 49 CFR 1056.15 and to read as follows:

Prohibition against carrier participating in local and joint rates at differing levels for transportation between the same points in the same direction. No motor common carrier of household goods shall have in effect for its account more than one level of rates, whether local or joint, for the same transportation service in interstate or foreign commerce between the same two points in the same direction.

It further appearing, that notice of the filing of the petition was published in the FEDERAL REGISTER and that pursuant thereto, replies were received both supporting and opposing the petition;

And it further appearing, that most of the opponents can be satisfied by rephrasing the proposed rule to except therefrom (1) the transportation of machinery which, because of unusual nature or value, requires the specialized handling and equipment usually employed in moving household goods, and (2) the services of local warehousemen holding authority of the type granted in Kingpak, Inc., Investigation of Operations, 103 M.C.C. 318; and for good cause appearing:

It is ordered, That a rule-making proceeding be, and it is hereby, instituted under the authority of Part II of the Interstate Commerce Act and section 4 of the Administrative Procedure Act to determine whether and to what extent the motor common carriers of household goods should be required to maintain the same rates and charges for the transportation of household goods between the same points in the same direction, regardless of whether the transportation is provided in joint-line or local service and to consider the adoption of the proposed rule (to be rephrased as stated below).

It is further ordered, That the petitioner shall submit a rephrasing of the proposed rule to except from the operation thereof the transportation of machinery of unusual nature or value and the services of persons holding authority of the type authorized in Kingpak, Inc., Investigation of Operations, supra.

It is further ordered, That all motor common carriers of household goods operating in interstate or foreign commerce and subject to the Interstate Commerce Act be, and they are hereby, made respondents in this proceeding.

It is further ordered, That all persons, including the respondents, who wish actively to participate in this proceeding and to file and to receive copies of pleadings shall make known that fact by notifying the Commission in writing on or before September 25, 1969. To conserve time and to avoid unnecessary expense, persons having common interests should endeavor to consolidate their presentation to the greatest extent possible. Individual participation is not precluded; however, mere casual interest does not justify participation. The Commission desires participation only of those who intend to take an active part in the proceeding.

It is further ordered, That: (a) As soon as practicable after September 25, 1969, the Secretary will serve a list of the names and addresses of all persons upon whom service of all verified¹ statements, replies, or other pleadings must be made; (b) within 30 days following the service of such list, any party may file an original and two copies of a verified statement and exhibits thereto with the Commission and one copy upon each party named in the service list; (c) within 10 days thereafter any party may file a reply statement (original and 2 copies) with the Commission and one copy upon each party named in the service list; (d) within 10 days after the date for replies has expired any party may request a hearing for the purpose of cross-examining any witness submitting a verified statement by notifying the Commission and all parties.

And it is further ordered, That a copy of this order be served upon the Household Goods Carriers' Bureau; all parties filing responses to the petition; the motor common carrier respondents; and the Public Utility Commission, Board, or similar regulatory body of each State having jurisdiction over the transportation here involved; that a copy be posted in the office of the Secretary of this Commission; and that a copy be delivered to the Director, Office of Federal Register, for publication in the FEDERAL REGISTER.

By the Commission, Division 2.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-9958; Filed, Aug. 20, 1969;
8:50 a.m.]

¹ In lieu of verification under oath, any prepared statement may be made subject to the following declaration: "I solemnly declare that I have examined the foregoing document and that the statements of fact contained therein are true." (Signature).

to provide for the sale of checks, including travelers checks and money orders, thereby extending the scope of such activity previously permissible under the ruling referred to in item 3 hereof.

3. To rescind an existing ruling in paragraph (d) of § 555.8 of said Part 555 which would be supplanted by the regulation amendments herein proposed to be added.

Accordingly, it is hereby proposed that the rules and regulations for the Federal Savings and Loan System be amended as follows:

1. By adding a new § 545.4-1, immediately after existing § 545.4 of said Part 545, to read as follows:

§ 545.4-1 Payments to third parties by withdrawals or transfer of savings accounts; checks, and money orders.

(a) *Withdrawals and transfers*. Savings accounts in a Federal association shall not be subject to check or to withdrawal or transfer on negotiable or transferable order or authorization to the association. However, withdrawal requests may be in the form of nontransferable orders or authorizations to the association for the payment of amounts in savings accounts to third parties periodically or otherwise and, in the case of the use of such orders or authorizations for the payment of a member's periodic obligations such as utility bills, may be honored by the association upon specification of the nature of the obligation to be paid without specification of the amount. Any such order or authorization which may be honored as a withdrawal request for payment to a third party may, if so authorized by the third party, also be honored as a transfer to a savings account of such third party.

(b) *Sale of checks and money orders*. As an incident to its principal activities and for the convenience of its members and others, a Federal association may provide for the sale of checks, including travelers checks, and money orders on which the drawee is a Federal Home Loan Bank, commercial bank, or other organization engaged in the business of handling such instruments.

2. By rescinding the ruling in paragraph (d) of § 555.8 of said Part 555. (Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR 1943-1948 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by September 22, 1969, as to whether this proposal should be adopted, rejected or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-9956; Filed, Aug. 20, 1969;
8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

TIRE STUDS FROM SWEDEN

Determination of Sales at Not Less Than Fair Value

On June 28, 1969, there was published in the FEDERAL REGISTER a "Notice of Tentative Negative Determination" that tire studs manufactured by Frank Dahlberg, A.B., Stockholm, Sweden, are not being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded until July 28, 1969, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

No written submissions or requests having been received, I hereby determine that tire studs manufactured by Frank Dahlberg, A.B., Stockholm, Sweden, are not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

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

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

AUGUST 6, 1969.

[F.R. Doc. 69-9954; Filed, Aug. 20, 1969;
8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR 592]

OREGON

Order Providing for Opening of Public Lands

AUGUST 14, 1969.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been reconveyed to the United States:

WILLAMETTE MERIDIAN

T. 18 S., R. 43 E.,
Sec. 33, N $\frac{1}{2}$ N $\frac{1}{2}$.

The area described aggregates 160 acres.

2. The lands are located in Malheur County. They are semiarid in character and are not suitable for farming. The lands have been acquired to further Federal programs. Public lands in this general area have been classified for multiple-use management and retention in Federal ownership.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location and selection, except for appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m., September 19, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The United States did not acquire minerals in the lands described herein.

5. Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 2965, Portland, Oreg. 97208.

VIRGIL O. SEISER,
Chief, Branch of Lands.

[F.R. Doc. 69-9925; Filed, Aug. 20, 1969;
8:48 a.m.]

[New Mexico 9490]

NEW MEXICO

Notice of Proposed Classification of Public Lands for Transfer Out of Federal Ownership

AUGUST 15, 1969.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify the public lands described below for transfer out of Federal ownership as hereinafter specified.

2. This proposal has been discussed with State and local government officials, BLM advisory board and the general public. Public meetings were held June 5, 1968 in Cuba, N. Mex., June 6, 1968 in Abiquiú, N. Mex., and August 15, 1968 in Cuba, N. Mex.

3. It is proposed to classify the public lands described below for transfer out of Federal ownership by State grants and indemnity selections (43 U.S.C. 851, 852); exchanges under section 8 of the Taylor Grazing Act (43 U.S.C. 315g) and/or public sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and public uses and development under the Act of June 14, 1926 (44 Stat. 741).

NEW MEXICO PRINCIPAL MERIDIAN

- T. 24 N., R. 1 W.,
Sec. 1, lots 3, 4 and S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 10, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$;
Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, S $\frac{1}{2}$;
Sec. 26, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 27, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{2}$;
Sec. 28;
Sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 33, E $\frac{1}{2}$;
Sec. 34, W $\frac{1}{2}$.
- T. 24 N., R. 2 W.,
Sec. 3, lot 1;
Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 17, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 18, NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
Sec. 24;
Sec. 30, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 24 N., R. 3 W.,
Sec. 3, SW $\frac{1}{4}$;
Secs. 4 and 5;
Sec. 6, lots 1 to 6, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 7, lots 1, 2 and NE $\frac{1}{4}$;
Sec. 8, NW $\frac{1}{4}$;
Sec. 10;
Sec. 11, E $\frac{1}{2}$ and NW $\frac{1}{4}$;
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 15, SE $\frac{1}{4}$;
Sec. 17, SE $\frac{1}{4}$;
Sec. 18, lots 1, 2, 3 and 4;
Sec. 19, lots 1, 2, 3 and 4;
Sec. 22, E $\frac{1}{2}$;
Sec. 27, E $\frac{1}{2}$;
Sec. 31, lots 3, 4 and NE $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$.
- T. 25 N., R. 3 W.,
Sec. 3, lots 3, 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 11;
Sec. 12, W $\frac{1}{2}$;
Secs. 14 and 15;
Sec. 16, SE $\frac{1}{4}$;
Secs. 19, 20 and 21;
Sec. 22, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
Secs. 28, 29, 30 and 31;
Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ and SE $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$ SE $\frac{1}{4}$.

The lands described above aggregate 20,231.16 acres.

4. Publication of this notice segregates the affected lands from all forms of disposal under the public land laws, including the mining laws, except the form or forms of disposal for which it is proposed to classify the lands. However, publication does not alter the applicability of the public land laws governing the use of the lands under lease, license, or

permit, or governing the disposal of their mineral and vegetative resources, other than under the mining laws.

5. The public lands affected by this proposed classification are shown on maps on file and available for inspection in the Albuquerque District Office, 1304 Fourth Street, NW., Albuquerque, N. Mex. 87107, and in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501. The lands are located in Rio Arriba County, N. Mex.

6. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, 1304 Fourth Street, NW., Albuquerque, N. Mex. 87107.

W. J. ANDERSON,
State Director.

[F.R. Doc. 69-9960; Filed, Aug. 20, 1969;
8:51 a.m.]

Fish and Wildlife Service

[Docket No. S-475]

RICHARD DAVID ERICKSON

Notice of Loan Application

Richard David Erickson, Route 1, Box 387, Rockaway, Oreg. 97136, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 35-foot length overall wood vessel to engage in the fishery for albacore, Dungeness crab, and salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, 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 operations of the vessel will or will not cause such economic hardship or injury.

C. E. PETERSON,
Chief,
Division of Financial Assistance.

[F.R. Doc. 69-9923; Filed, Aug. 20, 1969;
8:47 a.m.]

[Docket No. S-474]

PAUL W. AND ELLEN L. GRIFFIN

Notice of Loan Application

Paul W. Griffin and Ellen L. Griffin, 158 Birch Kiln Road, Fox Island, Wash.

98333, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 30.9-foot registered length wood vessel to engage in the fishery for albacore, halibut, and salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, 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 operations of the vessel will or will not cause such economic hardship or injury.

C. E. PETERSON,
Chief,

Division of Financial Assistance.

[F.R. Doc. 69-9924; Filed, Aug. 20, 1969;
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[Docket No. SH-272]

SUGARBEETS

Notice of Reopening of Hearing on 1969-Crop Sugarbeet Prices and Designation of Presiding Officers

Pursuant to the authority contained in subsection (c) (2) of section 301 of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. 1131), and in accordance with the rules of practice and procedure applicable to price and wage proceedings (7 C.F.R. 802.1 et seq.), notice is hereby given that a public hearing will be held as follows:

At Denver, Colo., on September 3, 1969, in Room 220 (main floor) of the U.S. Post Office Building, 19th Street between Stout and Champa, beginning at 9:30 a.m.

The sugarbeet growers in Utah and Idaho who grow sugarbeets for the Utah-Idaho Sugar Co., have informed the Department that the company recently notified them that among the items of marketing expenses to be used in determining the net proceeds from refined sugar (gross sales less selling and delivery expenses) for the 1969 crop would be a charge for the sugar equivalent of the thick juice stored in tanks for later processing into sugar. The tanks were recently constructed for the storage of thick juice. Net proceeds is an important determinant of the price paid by the company to growers for sugarbeets. The growers believe that the recognition of

such a charge as a marketing expense would be a significant departure from the customary concept of marketing expenses which has existed throughout the beet sugar industry for many years. Therefore, the growers requested that another public hearing be held to afford all interested persons an opportunity to present, for consideration by the Secretary, evidence on whether a charge against refined sugar sales for the storage of thick juice constitutes an appropriate marketing expense in determining net proceeds under the sugarbeet purchase contract. The record and the hearing (identified as docket No. SH-272) will be reopened for that purpose. The scope of the reopened hearing will be limited to the presentation of evidence on that issue relative and pertinent to fair and reasonable prices for sugarbeets of the 1969 crop.

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

The hearing, after being called to order at the time and place mentioned herein, may be continued from day to day within the discretion of the presiding officers and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearing by the presiding officers.

To obtain the best possible information, all interested persons are requested to appear at the hearing to express their views and present appropriate data in regard to the foregoing matter.

T. O. Murphy, A. A. Greenwood, C. F. Denny, and R. R. Stansberry are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearing.

Signed at Washington, D.C., on August 15, 1969.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-9942; Filed, Aug. 20, 1969;
8:49 a.m.]

Commodity Credit Corporation

[Amdt. 1]

SALES OF CERTAIN COMMODITIES

August 1969 CCC Monthly Sales List

The third paragraph of the Notice to Buyer section of the CCC Monthly Sales List for August (34 F.R. 12723) is amended to read as follows:

The following commodities are available: cotton (upland and extra long staple), wheat, corn, oats, barley, flaxseed, rye, rice, grain sorghum, peanuts, tung oil, cottonseed meal, cottonseed oil, butter, and nonfat dry milk.

Cottonseed oil is added to the list of commodities available for sale as set forth below:

COTTONSEED OIL, REFINED (BULK)

Export:

Competitive offers under the terms and conditions of Announcement NO-CS-9. Sales will be made only for export to Latin American countries, UAR (Egypt), Israel, and Iran.

Available:

New Orleans ASCS Commodity Office.

Signed at Washington, D.C. on August 15, 1969.

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

[F.R. Doc. 69-9961; Filed, Aug. 20, 1969;
8:51 a.m.]

[Amdt. 5]

BARLEY ET AL.

Price Support Programs; 1964 and Subsequent Crops; Announcement of Interest Rate

The announcement issued by Commodity Credit Corporation, published in 29 F.R. 4109 as amended at 29 F.R. 11133, 30 F.R. 7198, 32 F.R. 17899, and 33 F.R. 15487, of the rate of interest applicable to price support programs on 1964 and subsequent crops or production, is hereby further amended to limit the special procedure for determining the calendar month of repayment in certain circumstances to loans made or extended prior to July 1, 1969.

Section (1) is amended to read as follows:

(1) Loans on barley, corn, dry edible beans, flaxseed, grain sorghums, honey, oats, farm-stored peanuts, rice, rye, soybeans, tung oil, and wheat, and Form A loans on cotton shall bear interest at the rate of 30 cents per \$100 (fractions disregarded) for each calendar month or fraction thereof that the loan is outstanding, excluding the calendar month of repayment. When the last day of a calendar month falls on a nonwork day for the ASCS county office, repayment made on the first work day of the next succeeding calendar month shall be considered as repayment during the preceding calendar month for computation of interest, except on loans made or extended on or after July 1, 1969.

Signed at Washington, D.C. on August 15, 1969.

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

[F.R. Doc. 69-9962; Filed, Aug. 20, 1969;
8:51 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

NATIONAL INSTITUTES OF HEALTH ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

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

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

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

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

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

Docket No. 70-00030-33-46500. Applicant: National Institutes of Health, 9000 Rockville Pike, Building 10 Room 8B14, Bethesda, Md. 20014. Article: Ultramicrotome, Model LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin section for electron microscopic examination. Much of the work deals with tissue cultures and surgical materials where proper orientation, section thickness of 50-80 angstrom units, and a wide range of cutting speeds are most important. Application received by Commissioner of Customs: July 10, 1969.

Docket No. 70-00031-67-54600. Applicant: University of Florida, Department of Metallurgical and Materials Engineering, Gainesville, Fla. 32601. Article: Optical diffractometer. Manufacturer: The Rank Organization—Rank Pullin Controls, U.K. Intended use of article: The article will be used primarily for teaching diffraction theory to graduate and undergraduate students of metallurgical and materials engineering. It will also be utilized by graduate students in some areas of research. Application received by Commissioner of Customs: July 10, 1969.

Docket No. 70-00032-00-46040. Applicant: Harvard University, Purchasing Department, 75 Mt. Auburn Street, Cambridge, Mass. 02138. Article: High resolution electron diffraction accessory with airlock. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used as an accessory to an existing JEM-120 electron microscope. Application received by Commissioner of Customs: July 14, 1969.

Docket No. 70-00033-65-42900. Applicant: Michigan Technological University, Houghton, Mich. 49931. Article: Satmagan magnetic balance. Manufac-

turer: Outokumpu Oy Research Laboratory, Finland. Intended use of article: The article will be used for analyzing magnetite in iron ores. Application received by Commissioner of Customs: July 14, 1969.

Docket No. 70-00034-00-46040. Applicant: Ohio Agricultural Research & Development Center, Wooster, Ohio 44691. Article: Accessories for an Elmiskop IA electron microscope. Manufacturer: Siemens AG, West Germany. Intended use of article: The articles will be used on an existing Elmiskop IA electron microscope for the study of biological ultrastructure. Application received by Commissioner of Customs: July 14, 1969.

Docket No. 70-00035-33-46040. Applicant: University of Iowa, Biochemistry Department, Medical Research Center, Iowa City, Iowa 52240. Article: Electron microscope, Model HU-125E-1. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article will be used to examine the interaction between interphase chromosomes and the nuclear envelope. In order to gain a conformation of this link, to monitor current biological experiments and to devise new approaches to study this problem, it is essential to utilize the techniques of the electron microscope. Since the largest molecule does not exceed 20 angstroms in diameter, and in order to be able to: (a) visualize the molecule, and (b) visualize an interaction between single points on two molecules, it is necessary to obtain resolution of the highest order. Currently being carried out is research involving the structure of yeast phosphofructokinase. Application received by Commissioner of Customs: July 14, 1969.

Docket No. 70-00036-33-46500. Applicant: University of California, San Francisco Medical Center, Division of Dermatology, Parnassus & Arguello, San Francisco, Calif. 94122. Article: Ultramicrotome, Model LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in connection with studies concerning the structure and function of skin. Cellular functions will be studied by means of incorporation of tritium labeled nucleic acid precursors and amino acids injected intradermally prior to skin biopsies. Skin specimens will be processed for ordinary electron microscopy as well as both light and electron microscopic autoradiography in order to determine cellular organelles involved in the synthesis of nucleic acids and proteins. Long series of equal thickness serial sections, 50 angstroms to 2 microns, are needed for these studies. Application received by Commissioner of Customs: July 14, 1969.

Docket No.: 70-00037-65-46040. Applicant: University of California, 405 Hilgard Avenue, Los Angeles, Calif. 90024. Article: Electron microscope, Model JEM-120. Manufacturer: Japan Electron Optics Laboratory Co. Ltd., Japan. Intended use of article: The article will be used as an educational instrument in conjunction with an established course on transmission microscopy of thin crystals. In the laboratory associated with the lecture course, students

will have an opportunity to use the article to observe the large variety of diffraction contrast phenomena from defects in thin crystals. In addition to the above use, the article will be used as a research tool in a variety of scientific programs currently in progress. Application received by Commissioner of Customs: July 14, 1969.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-9894; Filed, Aug. 20, 1969; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00392-75-07000. Applicant: University of California, Los Alamos Scientific Laboratory, Los Alamos, N. Mex. 87544. Article: Cable, hollow, conductor, mineral insulated. Manufacturer: Pyrotenax of Canada, Ltd., Canada. Intended use of article: The article which consists of the following: (a) 800 ft., cable, copper, No. 1 AWG mineral insulated, copper-sheathed, 0.400 sq./0.256 sq. fully annealed; and (b) 2,000 ft., cable, hollow, conductor, mineral insulated, overall size 0.053 ± 0.010 inches; will be used to produce magnetic coils for research and development within the applicant's facility. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which the foreign article is intended to be used is being manufactured in the United States.

Reasons: For the experimental work in which the foreign article is intended to be used, the applicant requires mineral-insulated, square-sided cable. These characteristics are pertinent to the purposes for which the foreign article is intended to be used. The foreign article consists of cable having both of these characteristics. We are advised by the National Bureau of Standards (NBS) in its memorandum dated April 24, 1969, that it knows of no square cable being manufactured in the United States which is scientifically equivalent to the foreign article, for the

purposes for which this article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-9893; Filed, Aug. 20, 1969; 8:45 a.m.]

UNIVERSITY OF CONNECTICUT ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

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

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

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

Docket No. 70-00009-33-46040. Applicant: University of Connecticut, School of Medicine, Hartford Plaza, Hartford, Conn. 06105. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, Inc., The Netherlands. Intended use of article: The article will be used primarily for research in cellular biology including pathology cellular anatomy, and immunology. It will also be used for the training of selected medical, graduate, and post-doctoral students in optical techniques as applied to biological investigation. The investigation and training will include research at the tissue, cellular and macromolecular levels. Experimental planning includes the use of sectioning techniques, histochemistry, immunohistochemistry, high resolution autoradiography and examination of subcellular particulates by means of negative stain-

ing, shadowing with heavy metals, freeze-etching, and examination of unfixed or unembedded material contrasted by low voltage microscopy. Application received by Commissioner of Customs: July 3, 1969.

Docket No. 69-00014-00-61800. Applicant: Lindenhurst Public Schools, Administration Building, 141 School Street, Lindenhurst, N.Y. 11757. Article: Hemispherical reinforced plastic assembly, Type 16. Manufacturer: Sailcraft Ltd., Canada. Intended use of article: The article will be used as an accessory to an Apollo model planetarium and projector ordered by the applicant from the Goto Optical Co. Application received by Commissioner of Customs: July 7, 1969.

Docket No. 70-00016-01-78030. Applicant: California Institute of Technology, 1201 East California Boulevard, Pasadena, Calif. 91109. Article: Spectrophotometer, Model 225. Manufacturer: Bodenseewerk Perkin-Elmer and Co. GMBH, West Germany. Intended use of article: The article will be used for the following:

1. A study of the electronic structure of N, N-dialkyldithiocarbamateoferrate (III) complexes.
2. The investigation of the electronic and birational excitation phenomena in molecular crystals at liquid N₂ and liquid He temperatures.
3. High-resolution, low-temperature studies are being conducted on a variety of coordination compounds.
4. Studies involving an anisotropic solvent as an orienting medium in the infrared.

Application received by Commissioner of Customs: July 7, 1969.

Docket No. 70-00017-00-77045. Applicant: Yale University, Bureau of Purchases, 20 Ashmun Street, New Haven, Conn. 06520. Article: Quartz plate. Manufacturer: Hilger and Watts, U.K. Intended use of article: The article will be used as an element of a 4 meter radius bent crystal X-ray diffraction spectrometer being built by the applicant. Application received by Commissioner of Customs: July 7, 1969.

Docket No. 70-00018-00-46040. Applicant: Michigan Technological University, Department of Metallurgical Engineering, Houghton, Mich. 49931. Article: Automatic tilting, rotating, and heating specimen stage, model HK-2 BM for an existing HU-11A Electron microscope. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used in studies of the mechanism and kinetics of antiphase domain growth in the alloy Cu₃Au (Copper 3 Gold) and in studies of the disappearance of stacking faults during annealing of copper-base alloys. Application received by Commissioner of Customs: July 7, 1969.

Docket No. 70-00020-33-46040. Applicant: Sinal Hospital of Detroit, 6767 West Outer Drive, Detroit, Mich. 48235. Article: Electron microscope, Model JEM-100B. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used for the following purposes:

- (a) Tissue diagnosis of biopsy material.
- (b) Study of pathological material taken from autopsies.
- (c) Study of tissues and suspensions for the presence of viruses.
- (d) Study of enzymatic histochemistry of experimental animal and human material.

Application received by Commissioner of Customs: July 7, 1969.

Docket No. 70-00021-33-77040. Applicant: University of California, San Francisco Medical Center, Parnassus at Arguello, San Francisco, Calif. 94122. Article: Mass spectrometer, Model MS-902. Manufacturer: Associated Electrical Industries, U.K. Intended use of article: The article will be used for health-related research problems to determine the composition and structure of molecules available in only minute quantities, and usually either isolated from biochemical transformations, or frequently in disease conditions as metabolic products or as the result of congenital biochemical disorders in hormonal or related systems. Application received by Commissioner of Customs: July 8, 1969.

Docket No. 70-00022-33-74600. Applicant: Yale University, Bureau of Purchases, 20 Ashmun Street, New Haven, Conn. 06520. Article: Signal Analyser, Model BIOMAC 1000. Manufacturer: Data Lab. Ltd., U.K. Intended use of article: The article will be used as a signal averager to detect changes in signals in various parts of the nervous system following experimental surgical procedures in man and in animals, and following the treatment of experimental animals and patients with a variety of pharmacological agents. It will also be used to study single unit activity in the various layers of the feline spinal cord. Application received by Commissioner of Customs: July 8, 1969.

Docket No. 70-00024-33-46040. Applicant: Milton S. Hershey Medical Center, Hershey, Pa. 17033. Article: Electron microscope, Model HU-11E-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article:

The article will be used for the following purposes:

- (a) The training of medical students, physicians, and graduate students in the techniques and applications of electron microscopy.
- (b) It will be utilized as a teaching instrument during the regular academic course in Pathology for second year medical students.
- (c) It will be used for carrying out and supporting research projects by members of the departmental staff.

Application received by Commissioner of Customs: July 9, 1969.

Docket No. 70-00025-33-46040. Applicant: The Forsyth Dental Center, 140 The Fenway, Boston, Mass. 02115. Article: Electron microscope, Model JEM-100B and accessory. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used for a wide range of research projects designed to provide detailed information on the ultrastructural aspects of the teeth and supporting tissues in both health and disease. Em-

phasis will be placed on obtaining knowledge of the fine structural alterations occurring in caries and periodontal disease in the hope that such information can be of help in formulation of new methods of care and prevention. Application received by Commissioner of Customs: July 9, 1969.

Docket No. 70-00028-33-46500. Applicant: Duke University, Durham, N.C. 27706. Article: Ultramicrotome, LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections, 50 angstroms to 2 microns, for electron microscopic examination of living cells in tissue culture. Specifically, the investigation concerns chromosome movement in living cells following experimental alteration of individual chromosomes by micromanipulation. Special interest is in seeing one particular chromosome in one particular cell during the examination in the electron microscope. Application received by Commissioner of Customs: July 10, 1969.

Docket No. 70-00029-33-46500. Applicant: Southern Methodist University, Department of Biology, Dallas, Tex. 75222. Article: Ultramicrotome, LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for a variety of research projects undertaken by several biologists. The biologists need sections ranging from 50 angstroms to 2 microns for a variety of specimens and materials being studied which include parasites, juxtaglomerular cells, adrenal cortex, hepatoma, and the development of the cyst wall of Hymerolepsis diminuta. Application received by Commissioner of Customs: July 10, 1969.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-9892; Filed, Aug. 20, 1969; 8:45 a.m.]

Office of the Secretary

[Department Order 117-B]

MARITIME ADMINISTRATION

Organization and Structure

The following order was issued by the Secretary of Commerce on August 8, 1969. This Maritime Administration material supersedes the material appearing at 33 F.R. 158 of January 5, 1968, and 33 F.R. 3153 of February 17, 1968.

SECTION 1. *Purpose.* This order prescribes the organization and assignment of functions within the Maritime Administration.

SEC. 2. *Organization Structure.* The organization structure and line of authority of the Maritime Administration shall be as depicted in the attached organization chart. (A copy of the organization chart is on file with original of this document with the Office of the Federal Register.)

SEC. 3. *Office of the Maritime Administrator.* .01 The Maritime Administra-

tor is the head of the Maritime Administration and serves as Chairman of the Maritime Subsidy Board.

.02 *Deputy Maritime Administrator.* The Maritime Administrator shall be assisted in his duties by a Deputy Maritime Administrator, who will perform such duties as the Maritime Administrator shall prescribe, together with the duties which he performs as a member of the Maritime Subsidy Board. In addition, he shall be the Acting Maritime Administrator during the absence or disability of the Maritime Administrator and, unless the Secretary of Commerce designates another person, during a vacancy in the office of the Maritime Administrator. The Deputy Maritime Administrator shall be responsible also for supervision and coordination of contract compliance activities and activities under Title VI of the Civil Rights Act of 1964.

.03 *The Executive Staffs* shall consist of the Secretary of the Maritime Administration who also serves as Secretary of the Maritime Subsidy Board, the hearing examiners, and officials concerned with investigation and security functions, and other special services for the Maritime Administrator and the Maritime Subsidy Board.

SEC. 4. *Maritime Subsidy Board.* The Maritime Subsidy Board shall be responsible for and perform the following functions:

a. The functions with respect to making, amending, and terminating subsidy contracts, which shall be deemed to include, in the case of construction-differential subsidy, the contract for the construction, reconstruction or reconditioning of a vessel and the contract for the sale of the vessel to the subsidy applicant or the contract to pay a construction-differential subsidy and the cost of the national defense features, and, in the case of operating-differential subsidy, the contract with the subsidy applicant for the payment of the subsidy;

b. The functions with respect to: (1) Conducting hearings and making determinations antecedent to making, amending, and terminating subsidy contracts, under the provisions of Titles V, VI, and VIII, and sections 301 (except investigations, hearings and determinations, including changes in determinations, with respect to minimum manning scales, minimum wage scales and minimum working conditions), 708, 805(a) and 805(f) of the Merchant Marine Act, 1936, as amended (the Act), (2) making readjustments in determinations as to operating cost differentials under section 606 of the Act, and (3) the approval of the sale, assignment, or transfer of any operating subsidy contract under section 608 of the Act;

c. The functions with respect to investigating and determining; (1) the relative cost of construction of comparable vessels in the United States and foreign countries, (2) the relative cost of operating vessels under the registry of the United States and under foreign

registry, and (3) the extent and character of aids and subsidies granted by foreign governments to their merchant marines, under the provisions of subsections (c), (d), and (e) of section 211 of the Act;

d. So much of the functions specified in section 12 of the Shipping Act, 1916, as amended, as the same relate to the functions of the Board under subparagraphs a. through c. of this paragraph; and

e. So much of the functions with respect to adopting rules and regulations, subpoenaing witnesses, administering oaths, taking evidence, and requiring the production of books, papers, and documents, under sections 204 and 214 of the Act, as relate to the functions of the Board.

Sec. 5. Office of Policy and Plans. The Office of Policy and Plans shall plan and develop major policies and programs of the Administration of a medium, extended, or long-range nature; review and analyze projections of goals and program activities required to carry out the promotion and development of the U.S. Merchant Marine; develop extended or long-range action programs designed to meet the normal peacetime missions of the Administration in the major substantive areas of shipping, shipbuilding, subsidy policy, ship replacement, research and development objectives, etc.; develop and coordinate basic mobilization requirements and programs in these same areas, including emergency planning activities and the National Defense Executive Reserve Program; conduct liaison and planning activities with intergovernmental and international organizations concerned with shipping matters; and conduct economic studies and operations research activities for utilization in program, mobilization, and international planning, and for any other special study purpose of the broadest nature.

Sec. 6. Office of the General Counsel. The Office of the General Counsel shall, under the overall supervision of the General Counsel, Department of Commerce, serve as the law office of the Administration; review and give legal clearance to applications for subsidy and other Government aids to shipping, sales, mortgages, charters, and transfers of ships; prepare and approve as to form and legality, contracts, agreements, performance bonds, deeds, leases, general orders, and related documents; render legal opinions as to the interpretation of such documents and the statutes; prepare drafts of proposed legislation, Executive orders, and legislative reports to Congressional committees and the Bureau of the Budget; negotiate and settle, or recommend settlement of, admiralty claims, just compensation claims, tort claims, and claims referred to the office for litigation; assist the Department of Justice in the trial, appeal and settlement of litigation; represent the Administration in public proceedings involving subsidy, charter and related matters before administrative agencies of the Government, and in State and Federal courts; and handle court litigation

in actions involving enforcement or defense of the jurisdiction, general orders, and regulations of the Administration.

Sec. 7. Office of Public Information. The Office of Public Information shall issue or clear for issuance all information for the general public on shipping and on decisions and activities of the Administration, and prepare periodic and special reports, as assigned.

Sec. 8. Office of the Assistant Administrator for Administration. The Assistant Administrator for Administration shall be the principal assistant and adviser to the Maritime Administrator on administrative and financial management matters. He shall direct the activities of the following organizational units:

.01 The *Office of Administrative Services* shall plan and administer programs for the conduct of facilities and supply management and office services activities, including procurement and disposal of real and personal property, other than ships; provide contracting services; conduct domestic freight traffic activities; settle loss or damage claims arising from shipments on Government bills of lading; secure allocations of the production capacity of private plants for the manufacture of components and materials required in the event of mobilization; and provide graphics, travel, and office services to all offices in Washington, D.C., including space management, communications, mail, central files, library, duplicating, and administrative property management services.

.02 The *Office of Budget* shall formulate, recommend, and interpret budgetary policies and procedures; collaborate with operating officials in the development of fiscal plans and budget estimates; develop and present budget requests and justifications; allocate and maintain budgetary control of funds available; and review status of funds and program performance in relation to the Administration's fiscal plans.

.03 The *Office of Data Systems* shall provide data processing services, including conduct of feasibility studies, development of systems and programs for the application of computer techniques, and operation of the electronic data processing and auxiliary equipment.

.04 The *Office of Finance* shall render financial advice and opinions, develop and maintain financial systems of the Administration, perform accounting functions, including maintenance of general accounts and related fiscal records, preparation of financial statements and reports, issuance of invoices, audit and certification of vouchers for payment; prescribe a uniform system of accounts for subsidized operators, agents, charterers, and other contractors; administer a program of external audits of contractors' accounts to determine compliance with applicable laws, regulations and contract provisions concerning costs and profits; maintain control records of statutory and contractual reserve funds; analyze financial statements and other data submitted by contractors to determine financial qualifications and limita-

tions; take necessary action to effect collection of amounts due; administer the marine and marine war risk insurance programs; and negotiate, settle, or recommend settlement of, marine and war risk insurance claims.

.05 The *Office of Management and Organization* shall review and evaluate the operating programs of the Administration to determine their effectiveness in accomplishing established objectives and goals, and recommend improvements, including more productive utilization of resources; conduct manpower surveys to determine staffing requirements for all components of the Administration; conduct surveys and studies to improve management practices, organization structures, delegations of authorities, procedures, and work methods; maintain a system for the issuance of the manual of orders and other directives; maintain programs for the management and control of reports, forms, and committee activities; administer the records management program; coordinate the management improvement and cost reduction program; and prepare special progress and administrative reports to the Department of Commerce and others, as required.

.06 The *Office of Personnel* shall plan and administer personnel programs and activities relating to recruitment, placement, promotion, separation, employee performance evaluation, training and career development, employee recognition and incentives, employee relations and services, employee-management relations, classification, pay management, and various employee benefit programs.

Sec. 9. Office of the Assistant Administrator for Research and Development. The Assistant Administrator for Research and Development shall be the principal assistant and adviser to the Maritime Administrator on research and development programs. He shall direct the activities of the following organizational units:

.01 The *Office of Research and Development* shall manage research and development activities of the Maritime Administration, except nuclear programs; plan, organize, coordinate, execute or direct and control these activities for the purpose of improving the efficiency and effectiveness of the American merchant marine; initiate, solicit, develop, and recommend programs and specific research and development projects; negotiate and administer contracts, and direct contract work in connection with such projects, including exploratory and feasibility studies, design, construction, and test operation of prototype components, systems, ships and test facilities, and associated supporting research; and participate in and coordinate research and development activities of joint interest with other Government agencies and private organizations.

.02 The *Office of Nuclear Programs* shall plan, develop, coordinate, and implement programs for the application of nuclear power to merchant ships; direct the design, construction, and test operation of nuclear powered merchant ships;

plan and direct programs for training of crews and development of shore facilities required for operation of nuclear powered merchant ships; conduct studies of national and international aspects of nuclear powered merchant ship operation; and conduct negotiations and liaison with the Atomic Energy Commission and other Agencies on matters relating to the design, construction, testing, and operation of nuclear powered merchant ships.

.03 The *Joint Surface Effect Ship Program Office* conducts cooperative research programs in surface effect ships for the Maritime Administration and Navy. Section 13 describes the special relationship of this Office to the Maritime Administration.

SEC. 10. *Office of the Assistant Administrator for Operations.* The Assistant Administrator for Operations shall be the principal assistant and adviser to the Maritime Administrator on ship construction, ship operation, port development, and intermodal transportation systems activities. He shall direct the activities of the following organizational units:

.01 The *Office of Ship Construction* shall collect and analyze data on relative costs of shipbuilding in the United States and foreign countries; calculate and recommend the amount of construction-differential subsidy; develop preliminary designs establishing the basic characteristics of proposed ships; review and approve ship designs submitted by applicant for Government aid; recommend and, upon request, conduct research and development projects in ship design and construction; develop or approve contract plans and specifications for the construction, reconstruction, conversion, reconversion, reconditioning and betterment of ships; review, obtain approval and certification of national defense features by the Department of the Navy; prepare cost estimates, invitations to bid, and recommendations for the award of ship construction-type contracts; inspect ships during the course of work to assure conformance with approved plans and specifications; provide naval architectural and engineering services in connection with construction of small special purpose ships for other Government agencies; approve designs, supervise construction and undertake final acceptance of fishing vessels constructed under Public Law 86-516, as amended; perform expediting and scheduling activities to insure satisfactory delivery of components and materials to shipyards; maintain current records of commercial shipyard ways in the United States; develop requirements for mobilization ship construction programs; and conduct trial, acceptance and guarantee surveys of ships. The Office of Ship Construction has the following divisions: Division of Ship Design, Division of Engineering, Division of Estimates, Division of Small Ships, Division of Production, and contains the Trial and Guarantee Survey Boards.

.02 The *Office of Ship Operations* shall give national program direction for

the operation, maintenance, and repair of Maritime Administration-owned or acquired merchant ships, conduct of ship condition surveys and ship inventories, operation of warehouses, and maintenance of the national defense reserve fleets, including the ship preservation programs, and other ship operations activities; provide safety engineering services; approve transfers of ships to foreign ownership, registry or flag; recommend rates for services of ships operated by, or for, the Maritime Administration; determine program requirements for, and allocate Government-owned ocean-going merchant shipping; recommend the reactivation, purchase, chartering or requisition of merchant ships for Government use, and administer activities relating to the charter of such ships; recommend terms of and administer General Agency, Charter and Berth Agency agreements, and related orders; recommend terms of, execute, and administer, contracts for ship repairs for the account of the Maritime Administration; conduct sales of ships, and supervise compliance with ship sales agreements and mortgages; and administer the ship exchange program. The Office of Ship Operations has the following divisions: Division of Operating Agreements, Division of Operations, Division of Ship Repair and Maintenance, and Division of Reserve Fleet.

.03 The *Office of Ports and Intermodal Systems* shall formulate and conduct programs for the development and promotion of intermodal transportation systems, including promotion of unitization and containerization systems; conduct studies and formulate plans for the promotion, development, and utilization of ports and port facilities; provide technical advice to other Government agencies, private industry and State and municipal government in the above fields; and conduct emergency planning for the utilization and control of ports and port facilities under national mobilization conditions.

SEC. 11. *Office of The Assistant Administrator for Maritime Aids.* The Assistant Administrator for Maritime Aids shall be the principal assistant and adviser to the Maritime Administrator on subsidy administration, Title XI mortgage insurance, and other Government aids programs, maritime manpower, and trade promotion activities. He shall direct the activities of the following organizational units:

.01 The *Office of Subsidy Administration* shall process applications for construction-differential subsidy, operating-differential subsidy, Federal Ship Mortgage insurance, trade-in allowances, and other forms of Government aid to shipping; conduct negotiations with applicants, obtain comments of other offices, and prepare reports and recommendations for the award of aid contracts; administer aid contracts after their execution; coordinate the work of other organizational components in connection with such contracts; administer Construction Reserve Funds; approve

with the concurrence of the Chief, Office of Finance, actions relating to the administration of Special and Capital Reserve Funds of subsidized operators; collect, analyze and evaluate costs of operating ships under United States and foreign registry; calculate and recommend operating-differential subsidy rates; conduct studies to evaluate the efficiency and economy of operations of subsidized operators; analyze and recommend trade route structure and service requirements of the ocean-borne commerce of the United States, and extent of foreign flag competition on essential trade routes; and collect, maintain, and disseminate statistical data on cargo and commodity movements in the ocean-borne commerce of the United States, composition of world's merchant fleets, and utilization of U.S.-flag ships. Within this Office are personnel responsible for the collection of maritime cost data and other technical maritime activities in foreign countries. The Office of Subsidy Administration has the following divisions: Division of Subsidy Contracts, Division of Mortgage-Insurance Contracts, Division of Subsidy Rates, Division of Trade Studies, and Division of Statistics.

.02 The *Office of Maritime Manpower* shall advise the Administration regarding labor management relations and problems as they apply to seamen, longshoremen and shipyard workers, including the effects of technological changes on labor, of manning scales and crew costs on Maritime subsidies, and of proposed labor legislation; make studies and reports of current labor situations to keep the Maritime Administration advised of problems and developments, potential areas of dispute, and trends; coordinate maritime labor questions with other Agencies and work with them on matters of mutual interest; develop plans in cooperation with the Department of Labor to provide reserve maritime manpower for mobilization and other emergencies; obtain, analyze, and publish data for use of industry, labor, Government and the public concerning maritime employment, wages, hours, manning, working conditions, and manpower requirements; process nominations for appointment of cadets to the U.S. Merchant Marine Academy; administer a grant-in-aid program for the State maritime academies; determine need for and coordinate training programs for licensed and unlicensed personnel in maritime industries; coordinate technical maritime training assistance to foreign countries under international cooperative programs; and issue merchant marine decorations and awards. The Office of Maritime Manpower has the following divisions: Division of Labor Studies, Division of Manpower Development, and Division of Maritime Academies.

.03 The *Office of Trade Promotion* shall conduct programs for the promotion of increased trade for U.S.-flag ships; maintain surveillance of and administer cargo preference activities in accordance with Public Law 664, 83d

Congress, Public Resolution 17, 73d Congress, and Recommendation 7 in House Report No. 80, dated February 28, 1955; calculate and recommend guideline rates for transportation of Government-financed cargoes; and conduct programs for the promotion and development of domestic shipping.

SEC. 12. *Field Organization.* .01a. There shall be three field organizations called Coast Districts, each headed by a Coast District Director, as specified below:

District	Headquarters location
Atlantic Coast District---	New York, N.Y.
Gulf Coast District-----	New Orleans, La.
Pacific Coast District----	San Francisco, Calif.

b. The *Coast District Directors* shall be responsible for all field operations and programs of the Maritime Administration within their respective Coast Districts, except ship construction and the U.S. Merchant Marine Academy, subject to national policies, determinations, procedures and directives of the appropriate office chief in Washington, D.C. The programs and activities under their jurisdiction shall include the custody and preservation of ships in the national defense reserve fleets; operation, repair and maintenance of ships; marine inspections; ship inventories; accounting and external auditing; review and analysis of operating costs and practices of subsidized operators; procurement and disposal of property and supplies; facilities management; and administrative support activities.

.02 *The U.S. Merchant Marine Academy*, Kings Point, N.Y., shall develop and maintain programs for the training of U.S. citizens to become officers in the U.S. merchant marine.

SEC. 13. *Joint Surface Effect Ship Program Office.* Pursuant to a Joint Agreement between the Departments of Commerce and Navy dated June 20, 1966, the Joint Surface Effect Ship Program Office was established through the Charter signed February 27, 1967, by the Assistant Secretary of Commerce for Science and Technology and the Assistant Secretary of the Navy for Research and Development. This joint organization of the two Departments carries out, under the two Assistant Secretaries, cooperative research programs in surface effect ships. Under the Charter, the following arrangements for the operation of the joint Office were established:

.01 The Maritime Administration will provide part of the funds and personnel for the joint Office, with the Department of the Navy providing, on an approximately equal basis, the balance of funds and personnel required.

.02 The Maritime Administration will provide the joint Office with contracting services, budgetary services for funds of the Maritime Administration made available to the program, and other administrative support services as may be requested by the Office.

.03 The Program Manager, as the head of the joint Office, is responsible to a Joint Steering Committee, which acts for the Assistant Secretaries of the

two Departments. The Steering Committee is composed of two representatives of each Department.

LAWRENCE E. IMHOFF,
Acting Assistant Secretary
for Administration.

[F.R. Doc. 69-9895; Filed, Aug. 20, 1969;
8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING DIRECTOR, URBAN RENEWAL DEMONSTRATION PROGRAM

Designation; Revocation

SECTION A. *Designation.* The Assistant Director, Urban Renewal Demonstration Program, is hereby designated to serve as Acting Director, Urban Renewal Demonstration Program, during the absence of the Director, Urban Renewal Demonstration Program, with all the powers, functions, and duties re delegated or assigned to the Director, Urban Renewal Demonstration Program.

SEC. B. *Revocation.* This designation supersedes the designation of Acting Director effective October 11, 1968 (33 F.R. 15309, October 15, 1968).

(Secretary's delegation to Assistant Secretary for Research and Technology effective May 14, 1969 (34 F.R. 7873, May 17, 1969))

Effective date. This designation shall be effective as of August 15, 1969.

HAROLD B. FINGER,
Assistant Secretary for
Research and Technology.

[F.R. Doc. 69-9946; Filed, Aug. 20, 1969;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-238]

FIRST ATOMIC SHIP TRANSPORT, INC.

Notice of Issuance of Amended Facility License

The Atomic Energy Commission has issued Amendment No. 5, as set forth below, to Facility License No. NS-1. The license authorizes First Atomic Ship Transport, Inc. (FAST), to operate the pressurized water reactor facility aboard the Nuclear Ship *Savannah* (the *Savannah*) at steady-state power levels up to a maximum of 80 megawatts (thermal).

Amendment No. 5, effective as of the date of issuance, amends the license in its entirety to delete the record keeping and reporting requirements which have been transferred to the revised Technical Specifications in accordance with FAST's application dated May 23, 1969, as supplemented by letter dated July 18, 1969, and to make certain other minor editorial changes.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person

whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) FAST's application for amendment dated May 23, 1969, and supplement thereto dated July 18, 1969, and (2) the revised Technical Specifications, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 4th day of August 1969.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director.

Division of Reactor Licensing.

AMENDED FACILITY LICENSE

[License No. NS-1; Amdt. No. 5]

1. The Atomic Energy Commission ("the Commission") has found that:

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

B. The facility will be operated in conformity with the application, the Act, and the rules and regulations of the Commission;

C. There is reasonable assurance that the facility can be operated without endangering the health and safety of the public;

D. The First Atomic Ship Transport, Inc., is technically and financially qualified to engage in the proposed activities in accordance with the Commission's regulations;

E. The issuance of this license, as amended, for possession, use and operation of the facility and the receipt, possession and use of the special nuclear material in the manner proposed by First Atomic Ship Transport, Inc., in its application will not be inimical to the common defense and security or to the health and safety of the public;

F. First Atomic Ship Transport, Inc., has executed an indemnity agreement pursuant to 10 CFR Part 140; and

G. Prior public notice of proposed issuance of this license amendment is not required since operation of the facility in accordance with the terms of this license, as amended, does not involve significant hazard considerations different from those previously evaluated.

2. Facility License No. NS-1, as amended, is hereby amended in its entirety to read:

A. This license applies to the facility, consisting of a pressurized water nuclear reactor (hereinafter "the reactor") and associated components and equipment, which is located aboard the NS *Savannah* and described in the license application dated April 30, 1965, as amended by subsequent amendments thereto including the amendment dated May 23, 1969, and supplement thereto dated July 18, 1969 (herein referred to as "the application").

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses First Atomic Ship Transport, Inc. ("the licensee"):

(1) Pursuant to section 104b of the Act and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities":

a. To possess, use, and operate the reactor as a utilization facility, and
b. To refuel the nuclear reactor facility aboard the NS *Savannah* after filing an appropriate request for a change in the Technical Specifications and receiving Commission authorization therefor;

(2) Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material", to receive, possess, and use at any one time in connection with operation of the reactor up to (1) 303.2 kilograms of contained uranium-235, and (2) 32 grams of plutonium contained in encapsulated plutonium-beryllium neutron sources; and

(3) Pursuant to the Act and Title 10, CFR, Chapter I, Part 30, "Rules of General Applicability to Licensing of Byproduct Material", to receive, possess and use up to:

a. 305 millicuries of cobalt-60 as sealed sources;
b. 200 curies of polonium-beryllium neutron sources;
c. 30 millicuries of cesium-137 as sealed sources; and
d. 50 millicuries of iodine-131 as radio-iodine sources; and to possess, but not to separate, such byproduct material as has been or may be produced by operation of the reactor.

C. This license shall be deemed to contain and be subject to the conditions specified in § 30.34 of Part 30, §§ 50.54 and 50.59 of Part 50, and § 70.32 of Part 70 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) *Maximum Power Level.* First Atomic Ship Transport, Inc., may operate the reactor at steady-state power levels up to a maximum of 80 megawatts (thermal).

(2) *Technical Specifications.* The Technical Specifications and Port Operation Criteria attached to this amendment as Appendix A¹ (designated as Change No. 4 and hereinafter collectively referred to as "the Technical Specifications") are hereby incorporated in this license. The licensee shall operate the reactor in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in § 50.59 of 10 CFR Part 50.

D. This amended license is effective as of the date of issuance and shall expire at midnight, June 30, 1971.

Date of issuance: August 4, 1969.

For the Atomic Energy Commission.

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

[F.R. Doc. 69-9891; Filed, Aug. 20, 1969;
- 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20763; Order 69-8-89]

FIRST GRANT CORP.

Order of Tentative Approval

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of August 1969.

¹ This item was not filed with the Office of the Federal Register but is available for inspection in the Public Document Room of the Atomic Energy Commission.

Application of First Grant Corporation for approval under section 408 of the Federal Aviation Act of 1958 of an agreement to acquire control of Standard Aircraft Equipment Co., a person engaged in a phase of aeronautics.

First Grant Corp. (FGC), has filed, pursuant to section 408 of the Federal Aviation Act of 1958, as amended, (the Act) a request for approval of an agreement whereby it would acquire control of Standard Aircraft Equipment Co. (Standard), a person engaged in a phase of aeronautics.¹ FGC currently owns 83 percent of the common stock of American Flyers Airline Corp. (Flyers). At present, it is a minority stockholder in Standard, holding 25.09 percent of that company's stock.

FGC is a Delaware corporation controlled by Pittsburgh Coke and Chemical Co. (PCC), which in turn is controlled by Hillman Land Co. (HLC).² In addition to its control of Flyers and its current minority holdings in Standard, FGC owns 86 percent of the outstanding shares of Grant Aircraft Leasing Corp. (GALC), a company formed for the specific purpose of leasing aircraft to Flyers.³ These latter relationships were approved by Order E-26380, February 20, 1968. The Board also noted FGC's minority interest in Standard and required Flyers to report all transactions with Standard exceeding in the aggregate, \$100,000 per year.

Standard is a New York corporation engaged in the manufacture, distribution and sale of tools, supplies, instruments, and accessories employed in the operation, maintenance, repair and overhaul of aircraft, accessories and engines. In addition, Standard operates an overhaul division, Standair, Inc., which is an FAA approved repair facility for accessories and instruments. As of 1968 Standard's total annual sales amounted to \$9,120,950. During that year approximately 675 percent (\$61,568) of Standard's total sales were derived from sales to certificated supplemental carriers. Flyers made no purchases from Standard in 1968, and since Flyers does none of its own maintenance, no purchases are anticipated during the foreseeable future. The two largest categories of purchasers from Standard were certificated trunk-line carriers and aircraft maintenance overhaul companies/fix base operators, each purchasing 38.7 percent and 40 percent, respectively, of Standard's total sales.

As a means of consummating its acquisition of control of Standard, FGC has entered into an agreement with Louis J. Bollo,⁴ President of Standard, to

acquire as much stock in Standard as would be necessary to give FGC 80 percent control of that company. Such purchase is to be executed after a tender offer has been made to other stockholders and as much stock has been acquired as might be tendered.⁵ Such acquisition, the applicants hold, has been made solely for investment purposes.

Upon consideration of the application⁶ and other information set forth in the record herein, the Board tentatively concludes that the control relationships resulting from FGC's control of Standard, while it controls Flyers and GALC do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly, do not tend to restrain competition and are not inconsistent with the public interest. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing and the Board tentatively concludes that the public interest does not require a hearing.

The essential problem posed by relationships like those under consideration is that because of the absence of arm's length bargaining due to the control of various companies by the same person, the Board cannot assure itself of the fairness of transactions among the companies. In this instance, however, the transaction for which approval is sought appears to present no conflict of interest situation. At the present time Standard does none of Flyers' maintenance or major repairs, all of which are currently performed by others, and there have been no other transactions between these companies. The relationships resulting from the control transaction are similar to others heretofore approved by the Board.⁷

With respect to the competitive effect of the instant transaction upon other air carriers and manufacturers, Standard's activities would appear to have no adverse impact. It does not appear that Standard is the sole source of supply for the products that it presently manufactures or distributes, or that it participates in any exceedingly large share of the market for such products. In addition, Flyers has had no transactions in the past with Standard, and would, in any event, be a small customer in terms of the total market for such products. Thus, Flyers is not now, nor is it likely to be, in a position to exert any significant market pressure on Standard's competitors with respect to

⁶ We are informed at this date that such a tender offer has been completed.

⁷ It has been decided not to enforce the doctrine expressed in *Sherman Control and Interlocking Relationships*, 15 CAB 876 (1952), to the extent applicable, and to consider the application on its merits.

⁸ Cf. *Transocean Air Lines et al., Control and Interlocking Relationships Case*, 23 CAB 439 (involving the common control by a holding company of a supplemental air carrier and an aircraft overhaul and repair company); and *Ling-Temco-Vought, Inc. Acquisition of Braniff Airways, Inc.*, Order E-25989, Nov. 17, 1967 and *Saturn Airways, Inc.*, and *Howard J. Korth*, Order 68-8-16, Aug. 5, 1968 (each case involving common control of an air carrier and an aviation supplier).

¹ The application, filed on Feb. 25, 1969, was supplemented by letters of Apr. 21 and 25, 1969, and Aug. 5, 1969 and by telegram of June 27, 1969.

² HLC is owned and controlled by Henry L. Hillman, and members of his family.

³ Mrs. Virginia Pigman, Honorary Chairman and Director of Flyers, holds the remaining 17 percent of the stock of Flyers and 14 percent of GALC.

⁴ Mr. Bollo held 55.98 percent of Standard's outstanding shares as of the date of application.

sales of similar products or to adversely affect the sale of Standard's products to other air carriers. Conversely, an air carrier customer of Standard would appear to be in no position through economic pressure to adversely affect Flyers. For example, even though Pan American, as Standard's largest single customer, accounts for about 20 percent of Standard's total sales, it is reasonable to assume that FGC, in entering into the instant transaction, took into account Pan American's customer position. Moreover, FGC would not jeopardize Flyers, whose losses in 1968 reportedly amounted to \$3 million, in order to protect Standard whose total net income for the same year was \$247,000. In these present circumstances, it appears that there is no reasonable expectancy of any conflicts of interest or adverse competitive impact, and approval of the instant transaction is warranted. However, in order to obtain such future information as the Board may require with respect to the relationships among FGC, its subsidiaries, and affiliated companies, the Board in its final order intends to impose a reporting requirement with respect to inter-company transactions hereafter negotiated which amount in the aggregate or cumulatively to more than \$100,000 in any one calendar year. Also, consistent with past practice in similar instances,⁸ the Board intends to retain jurisdiction over the control relationships subject to its approval for the purpose of reexamining at any time the control relationships, imposing such other conditions as may be deemed appropriate in the event of changes in the activities of FGC or its subsidiaries in the field of aeronautics, and requiring submission of such other regular or special reports by FGC or any of its affiliates or subsidiaries as the Board may prescribe.

In view of the foregoing, the Board tentatively concludes that it should approve, without a hearing, under the third proviso of section 408 of the Act, subject to conditions discussed above, the control of Standard by FGC while the latter controls Flyers and GALC. In accordance with the requirements of section 408(b) of the Act, this order, constituting notice of the Board's tentative findings and conclusions, will be published in the FEDERAL REGISTER and interested persons will be afforded an opportunity to file comments or request a hearing on the Board's tentative decision.

Accordingly, it is ordered:

1. That interested persons are afforded a period of 10 days from the date of service of this order within which to file comments or request a hearing with respect to the Board's tentative action on the application in Docket 20763;⁹ and

⁸ Ling-Temco-Vought, Inc. Acquisition of Braniff Airways, Inc., supra.

⁹ Comments shall conform to the requirements of the Board's rules of practice. Further, since an opportunity to file comments is provided for, petitions for reconsideration of this order will not be entertained.

2. That the Attorney General of the United States be furnished a copy of this order within 1 day of publication.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-9947; Filed, Aug. 20, 1969;
8:49 a.m.]

[Docket No. 21318; Order 69-8-92]

LOUISVILLE-WASHINGTON SERVICE INVESTIGATION

Order Instituting Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of August 1969.

The Board has decided to institute a proceeding designated as the Louisville-Washington Service Investigation, which will focus on the need for competitive nonstop service between Louisville, Ky., and Washington, D.C. This market, which generated approximately 74,000 passengers in 1967, receives nonstop service from only one carrier, Eastern. We conclude that these circumstances warrant consideration of the need for competitive nonstop service.

In order to limit the scope of this investigation, we shall impose a pretrial restriction requiring that any new certificate authority awarded pursuant to this proceeding shall be in the form of a new segment.

Accordingly, it is ordered, That:

1. An investigation designated as the Louisville-Washington Service Investigation be and it is hereby instituted in Docket 21318 pursuant to sections 204(a) and 401(g) of the Federal Aviation Act of 1958, as amended, to determine whether the public convenience and necessity require the alteration, amendment, or modification of any air carrier certificates so as to authorize competitive nonstop service between Louisville, Ky., and Washington, D.C.;

2. Any authority awarded herein shall be without subsidy eligibility;

3. Any authority awarded herein to a carrier not holding on-segment authority shall be in the form of a separate segment;

4. Motions to consolidate, applications, and motions or petitions seeking modification or reconsideration of this order shall be filed no later than 20 days after the service date of this order and answers to such pleadings shall be filed no later than 10 days thereafter;

5. This proceeding shall be set for hearing at a time and place to be hereafter designated; and

6. A copy of this order shall be served upon the State of Kentucky, the cities of Louisville and Washington, the Louisville and Jefferson County Air Board, Allegheny Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., Mohawk Airlines, Inc., National Airlines, Inc., Northeast Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Pan American World Airways, Inc.,

Piedmont Aviation, Inc., Southern Airways, Inc., Trans-Caribbean Airways, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and Washington Airways, Inc.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-9948; Filed, Aug. 20, 1969;
8:50 a.m.]

[Docket No. 21122; Order 69-8-90]

SOUTHERN AIRWAYS, INC.

Order Providing for Further Proceedings for Amendment of Its Certificate of Public Convenience and Necessity

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of August 1969.

On June 25, 1969, Southern Airways, Inc. (Southern), filed an application, pursuant to Subpart M of Part 302 of the Board's procedural regulations, for amendment of its certificate of public convenience and necessity for Route 98 so as to permit it to provide, without subsidy eligibility, nonstop or direct single-plane service between Gulfport-Biloxi, Miss., on the one hand, and Eglin AFB, Fla., Dothan, Ala., Columbus, Ga., Washington, D.C., and New York, N.Y./Newark, N.J., on the other, points on different segments of Southern's certificate.

Upon consideration of the foregoing, we do not find that Southern's application is not in compliance with, or is inappropriate for processing under, the provisions of Subpart M. Accordingly, we order further proceedings pursuant to the provisions of Subpart M, sections 302.1306-1310, with respect to Southern's application.

Accordingly, it is ordered, That:

1. The application of Southern Airways, Inc., in Docket 21122, be and it is hereby set for further proceedings pursuant to Rules 1306-1310 of the Board's procedural regulations; and

2. This order shall be served upon all parties served by Southern in its application.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-9949; Filed, Aug. 20, 1969;
8:50 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on August 27, 1969. The

hearing will take place in Room 603 of the City Hall Annex, Juniper and Filbert Streets in Philadelphia beginning at 2 p.m. The hearing will be on the following subjects:

A. A proposed fiscal year 1971 current expense budget in the amount of \$1,360,000 and a capital budget in the amount of \$2,000.

B. A proposal to amend the Comprehensive Plan so as to include therein the following projects:

1. *Lower Bucks County Joint Municipal Authority*. Extensions and improvements to the Levittown sewage treatment plant in Bucks County, Pa. The capacity of the plant will be increased from 6 to 10 million gallons per day. Effluent will be treated to about 90 percent removal of BOD prior to discharge to the Delaware River.

2. *Borough of Downingtown*. A regional sewage interceptor and pumping system to service the area of the Borough of Downingtown, Chester County, Pa. Approximately 1.86 million gallons per day will be handled by the system and conveyed to the Downingtown treatment plant.

3. *Town of Smyrna*. Extension of Green's Branch Interceptor sewer and construction of pumping station to service areas in the town of Smyrna, Kent County, Del. Water service will also be provided in the area.

4. *Village of Hancock*. A well water supply project to augment public water supplies in the village of Hancock, Delaware County, N.Y. A new well and modifications to an existing well will be constructed. Capacity of the well field will be increased to 1,000 gallons per minute.

5. *Hatboro Borough Authority*. This is a well water supply project to augment water supply in the borough of Hatboro, Montgomery County, Pa. Designated as Well No. 17, the new facility will have a capacity of 360,000 gallons per day.

6. *Hatfield Township Municipal Authority*. Expansion of an existing sewage treatment plant in Hatfield Township, Montgomery County, Pa. Maximum capacity will be increased from 1.8 to 5.0 million gallons per day. A minimum of 90 percent BOD will be removed from the effluent prior to discharge into Neshaminy Creek.

7. *City of Reading*. A proposed increase in the city's allocation of water from Ontelaunee Reservoir on Maiden Creek in Berks County, Pa. The increase would be from 27 to 35 million gallons per day to meet the increased water demand in the city's service areas.

8. *Borough of Richlandtown*. A well water supply project to augment public water supplies in the Borough of Richlandtown, Bucks County, Pa. Designated as Well No. 3, the new facility is expected to yield 0.288 million gallons per day.

A summary of the proposed 1971 budget is available from the Commission upon request. Documents relating to the other projects listed for hearing may be examined at the Commission's offices. All persons wishing to testify are re-

quested to register in advance with the Secretary to the Commission.

W. B. WHITMAN,
Secretary.

[F.R. Doc. 69-9897; Filed, Aug. 20, 1969;
8:45 a.m.]

FEDERAL MARITIME COMMISSION

CENTRAL GULF STEAMSHIP CORP. AND WATERMAN STEAMSHIP CORP.

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 agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of Agreement Filed by:

Ronald A. Capone, Esq., Kirlin, Campbell & Keating, The Farragut Building, 900 17th Street NW., Washington, D.C. 20006.

Agreement No. 9774-1, between Central Gulf Steamship Corp. and Waterman Steamship Corp. modifies the basic agreement, which is a rate agreement in the trade from U.S. Atlantic and Gulf ports to ports in the Persian Gulf, Gulf of Oman, and the Arabian Sea, by the deletion therefrom of the second sentence of Article 3 which provides for the filing with the Commission of minutes or other records of the actions taken by the parties. The Commission's General Order 18, Amendment 4, relieves two-party rate agreements from this filing requirement.

Dated: August 18, 1969.

By order of the Federal Maritime Commission,

THOMAS LISI,
Secretary.

[F.R. Doc. 69-9950; Filed, Aug. 20, 1969;
8:50 a.m.]

THE OCEANIC STEAMSHIP CO., PACIFIC ISLANDS TRANSPORT LINE AND POLYNESIA LINE, LTD.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the

Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street N.W., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of Agreement Filed for Approval by:

David F. Anderson, The Oceanic Steamship Co., 100 Mission Street, San Francisco, Calif.

The Oceanic Steamship Co., Pacific-Islands Transport Line, and Polynesia Line, Ltd., common carriers by water, have entered into an agreement to meet, discuss and establish rates and charges and rules and regulations governing application thereof for the handling and carriage of cargo moving between U.S. Pacific Coast ports and Hawaii on the one hand and American Samoa on the other. In addition, the agreement provides for establishment of conditions and level of brokerage and/or compensation to forwarders and establishment of a policy for the packaging, handling and storage of cargo as well as settlement of claims. The agreement also provides for voting rights of the members, filing of reports, retention of records, and for the entry and withdrawal of any common carrier by water operating in the trade. The parties will maintain separate tariffs, may act independently and the agreement does not require concerted action on any matter. Under the agreement reports will be submitted to the Federal Maritime Commission showing all shipper requests and complaints as well as final action taken thereon.

The agreement designated DC-39 shall become effective when approved by the Commission pursuant to section 15, Shipping Act, 1916.

Dated: August 18, 1969.

By order of the Federal Maritime Commission,

THOMAS LISI,
Secretary.

[F.R. Doc. 69-9951; Filed, Aug. 20, 1969;
8:50 a.m.]

WILHELMSSEN COS. AND THE UNICORN SHIPPING LINES (PTY) LTD.

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 agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of Agreement Filed by:

David A. Brauner, Esq., Herman Goldman, Attorneys and Counselors at Law, Equitable Building, 120 Broadway, New York, N.Y. 10005.

Agreement No. 9812, between Wilhelmson Cos. (Joint Service) and the Unicorn Shipping Lines (Pty), Ltd., establishes a through billing arrangement for cargo moving in the trade from ports in Mauritius, Reunion, Malagasy Republic (Madagascar), Mozambique, Comoro Islands, and Seychelles to the U.S. Atlantic and Gulf ports, with transshipment at ports in the Republic of South Africa in accordance with the terms and conditions set forth in the agreement.

Dated: August 18, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-9952; Filed, Aug. 20, 1969;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP70-31]

CONSOLIDATED GAS SUPPLY CORP. AND UNITED FUEL GAS CO.

Notice of Application

AUGUST 14, 1969.

Take notice that on August 11, 1969, Consolidated Gas Supply Corp. (Consolidated Gas), a West Virginia Corp., 445 West Main Street, Clarksburg, W. Va. 26301, and United Fuel Gas Co. (United Fuel), a West Virginia corporation, Post Office Box 1273, Charleston, W. Va. 25325, referred to jointly as "Applicants," filed in Docket No. CP70-31 an abbreviated joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the exchange and delivery of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicants request authorization for:

(1) United Fuel to construct and operate approximately 6.8 miles of 8-inch and 0.4-mile of 6-inch pipeline between its existing transmission facilities and the Coopers Creek production field in Kanawha County, W. Va.

(2) Consolidated Gas to deliver to United Fuel volumes of exchange gas produced and purchased in the Cooper Creek production field; and

(3) United Fuel to deliver volumes of pay-back gas to Consolidated Gas, through mutual dispatching arrangements with Tennessee Gas Pipeline Co. (Tennessee), by making such volumes available at Tennessee's existing Broad Run-Corwell point of delivery in Kanawha County, W. Va.

The application states the total estimated cost of the United Fuel's proposed construction to be \$361,700, which amount is to be financed through open account advances from and the issuance of promissory notes to United Fuel's parent company, The Columbia Gas System, Inc.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 11, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-9901; Filed, Aug. 20, 1969;
8:45 a.m.]

[Docket No. RI70-122, etc.]

J. M. HUBER CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

AUGUST 14, 1969.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.²

¹ Does not consolidate for hearing or disposal of the several matters herein.

² If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR

1.8 and 1.37(f)) on or before October 8, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-122..	J. M. Huber Corp., 2300 West Loop, Houston, Tex. 77027.	69	1	Mountain Fuel Supply Co. (Powder Wash Field, Moffat County, Colo.)	\$3,070	7-25-69	8-25-69	8-26-69	13.0	14.0	
RI70-123..	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, Okla. 74102.	28	2	Cities Service Gas Co. (Northwest Quinlaw Field, Woodward County, Okla.) (Panhandle Area).	1,747	7-24-69	9-1-69	9-2-69	17.0	18.0	RI66-176.

¹ Contract dated Jan. 28, 1966, and the proposed rate does not exceed the initial service ceiling rate of 15 cents per Mcf.

² The stated effective date is the effective date requested by Respondent.

³ The suspension period is limited to 1 day.

⁴ Periodic rate increase.

⁵ Pressure base is 15.025 p.s.i.a.

⁶ Contract dated after Sept. 28, 1960, the date of issuance of General Policy State-

ment No. 61-1 and the proposed rate does not exceed the initial area rate ceiling of 17 cents per Mcf.

⁷ Pressure base is 14.65 p.s.i.a.

⁸ Subject to a downward B.T.U. adjustment.

⁹ Includes 1-cent service charge paid by buyer.

¹⁰ Filing completed on July 30, 1969, by correction letter dated July 29, 1969.

The contracts related to the rate filings proposed by J. M. Huber Corp. (Huber) and Oklahoma Natural Gas Co. (Oklahoma Natural), were executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rates are above the applicable ceilings for increased rates but below the initial service ceilings for the areas involved. We believe, in this situation, Huber and Oklahoma Natural's proposed rate filings should be suspended for one day from August 25, 1969 (Huber) and September 1, 1969 (Oklahoma Natural), the proposed effective dates.

[F.R. Doc. 69-9899; Filed, Aug. 20, 1969; 8:45 a.m.]

[Docket No. CP70-30]

NORTHERN NATURAL GAS CO.

Notice of Application

AUGUST 14, 1969.

Take notice that on August 11, 1969, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68012, filed in Docket No. CP70-30 an abbreviated application pursuant to section 7(c) of the Natural Gas Act, as amended, for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the transportation of natural gas in interstate commerce from a new gas supply area in Crockett County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate 15.1 miles of 8-inch pipeline, one (1) 350 horsepower compressor unit, measurement facilities, and various sizes of well gathering lines in the V.I.P. Field to enable it to gather and transport natural gas purchased in the V.I.P. Field to its presently installed 12-inch pipeline extension into the Hunt-Baggett Field, all in Crockett County, Tex.

Applicant states that it has entered into a gas purchase contract with the Rodman Corp. and E. G. Rodman for the

purchase of natural gas from the V.I.P. Field where the total proved reserves are estimated at 4,071.5 Mcf of which 1,500.8 Mcf are dedicated to Applicant under the aforementioned contract, and that it will purchase the gas at an initial price of 16.5 cents per Mcf.

Applicant estimates the total cost of the proposed facilities to be \$1,031,550, which cost is to be financed from cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-9902; Filed, Aug. 20, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-1211, 812-2566]

A.V.C. CORP.

Notice and Order for Hearing on Application Declaring Company Has Ceased To Be an Investment Company

AUGUST 13, 1969.

Notice is hereby given, that A.V.C. Corp. ("A.V.C."), 100 West Tenth Street, Wilmington, Del. 19801, a Delaware Corporation registered as a closed-end nondiversified investment company under the Investment Company Act of 1940 ("Act"), has filed an application for an order under section 8(f) or, in the alternative, section 3(b)(2) of the Act, declaring that A.V.C. has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

A.V.C. was incorporated in the State of Delaware on December 29, 1922 as "American Viscose Corporation" and functioned as an operating company until 1963 when it sold its business and operating assets, changed its name to A.V.C. Corp. and registered as an investment company.

A.V.C. represents that as of December 31, 1968, it had total assets of \$40,639,000 of which \$5,446,000 consisted of cash and short-term investments including Government securities and commercial paper. Of the remaining

\$35,193,000 of total assets, A.V.C. represents that \$24,658,000 or 70.1 percent is attributable to seven wholly or majority-owned subsidiaries valued at cost, \$7,423,000 or 21.1 percent is attributable to marketable securities, \$2,122,000 or 6 percent is attributable to special investments of limited marketability, \$407,000 or 1.2 percent is in the A.V.C. Corp. Participation Fund, and \$583,000 or 1.6 percent is the value of all other assets.

On April 16, 1969, A.V.C. agreed to acquire through a new wholly owned subsidiary certain assets of Delta Capital Corp., a Federal licensee under the Small Business Investment Act of 1958. The acquisition is subject to approval by Delta's stockholders and by the appropriate regulatory agencies. It is anticipated that approximately \$1,250,000 in cash (about 3 percent of the assets of A.V.C.) would be placed in this subsidiary which it is intended will be a small business investment company.

A.V.C.'s majority or wholly owned subsidiaries, the percentage of voting securities therein owned by A.V.C., and the cost value of such securities which have marketability restrictions or other value limiting features are as follows:

MAJORITY OR WHOLLY OWNED SUBSIDIARIES

Name	Percent voting securities owned	Cost value of majority or wholly owned investments December 31, 1968
Carolina Pump & Supply Co., Inc.	82.4	\$532,500
Davidson Sand & Gravel Co.	100	4,379,375
A. C. Forr Corp. and Subsidiaries	90.8	5,790,625
Oceanchem International A/S	100	6,164,580
Genu Products Canada, Ltd.	100	321,531
Kedes A/B	100	19,330
United States Communications Corp.	70	7,450,000
Total		24,657,941

A.V.C. states that it had total revenues for the year ended December 31, 1968, of \$28,609,000 of which amount \$27,818,000 or approximately 97 percent was generated by majority or wholly owned subsidiaries of the corporation. The corporation, however, experienced a net loss before extraordinary items.

It is also represented by A.V.C. that during the last 2 years a major portion of the time of its officers has been devoted to the operation of A.V.C.'s majority or wholly owned subsidiaries.

At the annual meeting of the shareholders of A.V.C. held on May 5, 1969, the holders of a majority of the outstanding shares of common stock of A.V.C. approved a proposal made by the Board of Directors that A.V.C. change the nature of its business so that it will cease to be an investment company.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, which, if necessary for the protection of investors, may be made upon appropriate conditions, and

upon taking effect of such order, the registration of such company shall cease to be in effect.

Section 3(a) (1) of the Act defines as an investment company an issuer which is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, reinvesting or trading in securities.

Section 3(a) (3) of the Act further defines as an investment company an issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. The term "investment securities" includes all securities except Government securities, securities issued by employees' securities companies, and securities issued by majority-owned subsidiaries of the owner which are not investment companies.

Section 3(b) (2) of the Act provides, insofar as it is pertinent here, that notwithstanding section 3(a) (3), any issuer which the Commission, upon application, finds and by order declares to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities, either directly or through majority-owned subsidiaries, is not an investment company.

A.V.C. maintains that it no longer comes within the definition of an investment company contained in sections 3 (a) (1) and 3(a) (3) of the Act or, if it does come within 3(a) (3), that it is entitled to an order pursuant to Section 3(b) (2) declaring that it is primarily engaged either directly or through majority-owned subsidiaries in a business other than that of investing, reinvesting, owning, holding, or trading in securities.

Specifically A.V.C. represents:

1. There is no "holding out" that A.V.C. is an investment company, or that its business is primarily that of "investing, reinvesting, or trading in securities."

2. It is now primarily engaged in the business of acquiring, developing and operating (through majority or wholly owned subsidiaries) operating companies in industrial, commercial, and communications fields.

3. It intends to continue to engage primarily in industrial, commercial, and communication businesses through its present majority or wholly owned subsidiaries or through other companies, a majority of whose voting securities may be acquired by A.V.C.

4. Its interests in its majority or wholly owned subsidiaries are not held as investment securities for the purpose of resale, and other voting securities of any majority-owned subsidiaries which may be acquired will not be acquired as investment securities for the purpose of resale.

5. Its officers participate extensively in the management, administration, and performance of the business activities of its majority or wholly owned subsidiaries.

6. It is intended in the future that its officers, personnel, and designees will participate extensively in the management, administration, and performance of the business activities of its majority and wholly owned subsidiaries, or of any majority-owned subsidiaries which may be acquired hereafter.

7. It may invest or continue to own securities issued or guaranteed by the U.S. Government or in securities of other than majority-owned subsidiaries, but any holding of, and any trading in such securities will be minor compared to A.V.C.'s primary interest in its majority or wholly owned operating subsidiaries.

8. In any event, A.V.C. does not intend to own or acquire "investment securities" having a value (after deducting the value of securities issued or guaranteed by the U.S. Government and issued by majority-owned subsidiaries of A.V.C. which are not investment companies) equal to as much as 35 percent of the value of A.V.C.'s total assets (exclusive of securities issued or guaranteed by the U.S. Government and cash items).

It appears to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the said application.

It is ordered, Pursuant to section 40 (a) of the Act, that a hearing on the aforesaid application under the applicable provisions of the Act and rules of the Commission thereunder be held on the 25th day of September 1969 at 10 a.m., in the offices of the Commission, 500 North Capitol Street NW., Washington, D.C. 20549. At such time the Hearing Room Clerk will advise as to the room in which such hearing will be held. Any person, other than A.V.C., desiring to be heard or otherwise wishing to participate in the proceeding is directed to file with the Secretary of the Commission, on or before the 23d day of September 1969, his application pursuant to Rule 9(c) of the Commission's rules of practice. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon A.V.C. at the address noted above, and proof of service (by affidavit, or, in the case of an attorney at law by certificate) shall be filed contemporaneously with the request.

The Division of Corporate Regulation has advised the Commission that it has made a preliminary examination of the application; and that, upon the basis thereof, the following matters are presented for consideration without prejudice to its specifying additional matters upon further examination:

(1) Whether A.V.C. is, within the meaning of section 3(a) (1) of the Act, an issuer which is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, reinvesting, or trading in securities.

(2) Whether A.V.C. is, within the meaning of section 3(a) (3) of the Act, an issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in

securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of government securities and cash items) on an unconsolidated basis.

(3) If (2) above is answered in the affirmative, whether A.V.C. is, within the meaning of section 3(b)(2) of the Act, an issuer which is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities, either directly or through majority-owned subsidiaries.

It is further ordered. That at the aforesaid hearing attention be given to the foregoing matters.

It is further ordered. That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this order by certified mail to A.V.C., and to the Associate Administrator for Investment, Investment Division, Small Business Administration, Washington, D.C. 20916, and that notice to all persons shall be given by publication of this order in the FEDERAL REGISTER, and that a general release of the Commission in respect of this order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9927; Filed, Aug. 20, 1969;
8:48 a.m.]

FEDERAL OIL CO.

Order Suspending Trading

AUGUST 15, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Federal Oil Co., a Nevada Corporation, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered. Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 18, 1969, through August 27, 1969, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9928; Filed, Aug. 20, 1969;
8:48 a.m.]

[File 1-4310]

FEDERATED PURCHASER, INC.

Order Suspending Trading

AUGUST 15, 1969.

The common stock, 10 cents par value, of Federated Purchaser, Inc., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934

and all other securities of Federated Purchaser, Inc., being traded otherwise than on a national securities exchange; and

It is ordered. Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 16, 1969, through August 25, 1969, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9929; Filed, Aug. 20, 1969;
8:48 a.m.]

LIBERTY EQUITIES CORP.

Order Suspending Trading

AUGUST 15, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Liberty Equities Corp., a District of Columbia corporation, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered. Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 17, 1969, through August 26, 1969, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9930; Filed, Aug. 20, 1969;
8:48 a.m.]

[812-2575]

LOEB, RHOADES & CO.

Notice of Filing of Application

AUGUST 15, 1969.

Notice is hereby given that Loeb, Rhoades & Co., 42 Wall Street, New York, N.Y. 10005 ("Applicant"), prospective representative of a group of underwriters of a proposed offering of shares of Price Capital Corporation ("Price"), a registered closed-end investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting applicant and its underwriters from section 30(f) of the Act to the extent that this section adopts Section 16(b) of the Securities Exchange Act of 1934 ("Exchange Act") in respect of their transactions incident to the distribution of Price shares. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Shares of Price are to be purchased by the underwriters pursuant to an underwriting agreement to be entered into between Price and the underwriters represented by applicant. The several underwriters will be obligated to make a public offering of all of the shares of common stock of Price which such underwriters are to purchase under the underwriting agreement, at the price therein specified, as soon on or after the effective date of Price's registration statement on Form S-4 (the "Form S-4") as the applicant deems advisable, and such shares are initially to be offered to the public in accordance with the formulae for the determination of the per share public offering price and underwriting commissions, to be specified in the underwriting agreement, and the formula for determination of dealer concessions to be specified in the agreement among underwriters, at the time the Form S-4 becomes effective under the Securities Act of 1933.

It is possible that applicant and at least one other member of the underwriting group may individually become obligated to purchase more than 10 percent of the initial amount of common stock of Price to be outstanding upon the completion of the initial public offering, thereby becoming "insiders" subject to section 16(b) of the Exchange Act.

Rule 16b-2 under the Exchange Act exempts certain underwriters from the operation of section 16(b) of the Exchange Act. Applicant states that the purpose of the purchase by applicant and the other underwriters is for resale in connection with the initial distribution of shares of Price. It will thus be a transaction effected in connection with a distribution of a substantial block of securities within the purpose and spirit of the Commission's Rule 16b-2.

The applicant and its underwriter, however, may not be exempted from section 16(b) by the operation of Rule 16b-2. They may not meet the requirement stated in paragraph (a)(3) of Rule 16b-2 that the aggregate participation of underwriters not within the purview of section 16(b) of the Exchange Act be at least equal to the participation of underwriters receiving the exemption under Rule 16b-2, since it is possible that one or more of the underwriters who take more than 10 percent of the shares may be obligated to purchase more than 50 percent of the shares of Price which will be outstanding at the time of the closing.

In addition to purchases from the Fund and sales to customers, there may be the usual transactions of purchase or sale incident to a distribution such as stabilizing purchases, purchases to cover over-allotments or other short positions created in connection with such distribution, and sales of shares purchased in stabilization.

Applicant states that no underwriter has any inside information, that there is no possibility of using inside information and, in fact, that there is no inside information in existence since the Fund, prior to the initial distribution, will have virtually no assets or business of any sort.

No director or officer of any underwriter is a director or officer of the Fund.

Applicant represents that the requested exemption from the provisions of section 30(f) of the Act is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. It states that the transactions sought to be exempted cannot lend themselves to the practices to which section 16(b) of the Exchange Act was enacted to apply.

Section 6(c) authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and rules promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 28, 1969 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9931; Filed, Aug. 20, 1969;
8:48 a.m.]

[812-2466]

PITTSBURGH COKE & CHEMICAL CO.

Notice of Filing of Application

AUGUST 15, 1969.

Notice is hereby given that Pittsburgh Coke & Chemical Co., Grant Building,

Pittsburgh, Pa. 15219 ("applicant"), registered under the Investment Company Act of 1940 ("Act") as a closed-end nondiversified investment company, has filed an application pursuant to sections 6(c), 17(b) and 17(d) of the Act and Rule 17(d-1) thereunder for an order exempting from the provisions of section 17(a) of the Act, the proposed acquisition by its majority-owned subsidiary, First Grant Corp. ("First Grant"), from certain affiliated persons (officers, directors, five percent shareholders, and employees) of Standard Aircraft Equipment Co., Inc. ("Standard"), of all or portions of their shares of Common Stock of Standard, permitting said acquisition of Common Stock of Standard from the principal stockholder of Standard, Mr. Louis Bollo ("Bollo") and permitting under section 17(d) and Rule 17(d-1) an employment agreement and stock purchase agreement between Standard and Bollo. All interested persons are referred to the application for a statement of the representations therein which are summarized below.

Standard is a New York corporation engaged in the distribution and repair of aircraft instruments, components and accessories. It is primarily an operating company and not a holding company. The outstanding capital stock of Standard consists of 443,700 shares of Common Stock, 50 cents par value. At the time of filing the application, First Grant owned 112,349 shares of such Common Stock (25.3 percent) and Bollo, who is President and chief executive officer of Standard, owned 248,403 shares. The Common Stock of Standard is traded in the over-the-counter market. Applicant owns approximately 70.7 percent of the capital stock of First Grant. Applicant is in control of First Grant which, in turn, is presumptively in control of Standard. Applicant is therefore in control of Standard and within the meaning of section 2(a)(3) of the Act, Standard and applicant are affiliated persons of one another. Bollo and other officers, directors, employees or 5 percent Shareholders of Standard are therefore affiliated persons of an affiliated person of a registered investment company.

Applicant states that it and First Grant determined that it would be to the advantage of their respective stockholders if First Grant could acquire a larger interest in the Common Stock of Standard. Accordingly, First Grant (1) offered to purchase such Common Stock at \$16 per share to the extent that such Common Stock was tendered prior to the close of business on January 30, 1969 (extended to Feb. 14, 1969), and (2) entered into an agreement with Bollo to purchase from him at the same price of \$16 per share such additional number of the shares of Common Stock of Standard as might be required to make First Grant the owner of 80 percent of the outstanding shares of such Common Stock. Applicant states that Bollo will not sell any of his holdings in Standard until all other affiliated persons have had an opportunity to tender their shares of Common Stock to First Grant. Applicant further

states that Bollo will then sell only that number of shares of Common Stock necessary to give First Grant an 80 percent interest in Standard. First Grant and Bollo have agreed that after the purchase by First Grant, Standard and Bollo would commence an employment contract under which Bollo would serve as President and chief executive officer of Standard and would devote his full time to its activities for a term of 5 years at a salary of \$65,000 per year, which contract also contains an agreement not to compete for an additional 3 year period. First Grant also gave Bollo an option to sell to it all but not less than all of the remainder of his Standard holdings at \$12 a share or 15 times the average earnings of Standard per share of Common Stock during the preceding 3 calendar years, whichever is higher. Any increase in the earnings of Standard as a result of filing a consolidated tax return will not be used in the computation of the 3 year average for the application of this formula.

Applicant further states that Bollo formed Standard more than 30 years ago and has continued to manage it up until the present time. Standard has shown a profit in 35 of the 36 years of its existence and Bollo has developed important and valuable personal relationships with manufacturers and customers. First Grant and applicant accordingly believed it to be important in connection with the proposed acquisition by First Grant of shares of Common Stock of Standard, particularly shares owned by Bollo, that there be a commitment by Bollo to continue to serve Standard as its principal executive officer, notwithstanding the reduction in his stock holdings. The proposed salary, which represents an increase over the salary previously paid, is considered reasonable in the light of Bollo's commitments under the contract, the importance to Standard and its stockholders of his continued services and compensation payable to principal executive officers of other companies in the industry.

The Applicant states that upon issuance of an order by the Commission, the following affiliated persons will tender the following number of shares and that after acquiring these shares First Grant would then hold 80 percent of the outstanding securities of Standard: Paul L. and Nancy A. Bollo (joint tenants), 100 shares; Orin T. Leach, 2,000 shares; William B. Lewis, Jr., 1,000 shares; and Bollo, 171,302 shares. This would leave only two affiliated persons with any shares, Paul L. and Nancy A. Bollo who would own 20 shares and Bollo who would own 77,101 shares.

Since the purchase of shares of Common Stock of Standard by First Grant from Bollo and other directors, officers, employees and 5 percent shareholders who are affiliated persons of Standard, would constitute a sale of such stock by affiliated persons of an affiliated person of an investment company to a company controlled by such investment company, such proposed purchase would be subject to section 17(a) of the Act.

Section 17(b) provides that notwithstanding section 17(a) an application may be filed for an order exempting a proposed transaction from one or more provisions of the subsection provided that the terms of the proposed transaction including the consideration to be paid or received are reasonable and fair and do not involve overreaching on the part of any person concerned, the proposed transaction is consistent with the policy of the registered investment company and with the general purpose of the Act.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide, as here pertinent, that it shall be unlawful for an affiliated person of an affiliated person of a registered investment company, acting as principal, to participate in, or to effect any transaction in which a company controlled by a registered investment company is a joint or joint and several participant, unless, prior thereto, an application regarding such arrangement has been filed with and granted by the Commission. In passing upon such an application, the Commission must consider whether the participation of such controlled company in such arrangement is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of the other participants.

The purchase from Bollo and concurrent holding of Standard shares by First Grant may be considered a transaction in which First Grant is a joint or joint and several participant with Bollo and Standard. Similarly, the employment of Bollo by Standard under the proposed employment contract, and the purchase of the balance of shares from Bollo at the time when Standard is controlled by First Grant may be considered a transaction in which First Grant is a joint or joint and several participants with Bollo.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally, exempt any person, or transaction from any provision of the Act or any regulation thereunder, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 4, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such serv-

ice (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9926; Filed, Aug. 20, 1969;
8:48 a.m.]

[File 24W-2931]

SCHROTT, WHITAKER AND DOUGLAS, INC.

Order Amending Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

It is ordered, That the Commission's order of August 13, 1969, temporarily suspending the Regulation A exemption of Schrott, Whitaker and Douglas, Inc., 3910 North Fairfax Drive, Arlington, Va. 22203, be, and it hereby is, amended in the following respects:

Paragraph IIA4 is deleted, and the following paragraph substituted therefor:

4. the Regulation A exemption is not available, pursuant to paragraph (b) of Rule 252, since the securities proposed to be offered are securities of an investment company registered or required to be registered under the Investment Company Act of 1940.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9932; Filed, Aug. 20, 1969;
8:48 a.m.]

[812-2529]

UNITED VARIABLE ANNUITY LIFE IN- SURANCE CO. AND UNITED VAR- IABLE ANNUITY FUND A

Notice of Application

AUGUST 13, 1969.

Notice is hereby given that United Variable Annuity Life Insurance Co. ("Insurance Company") and United Variable Annuity Fund A ("Fund"), Post Office Box 2398, Little Rock, Ark. 72203, (herein collectively called "applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting applicants from cer-

tain provisions of section 27(c)(2) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Insurance Company was organized in January 1968 as a stock life insurance company under the laws of the State of Arkansas. It is authorized to engage in the insurance business only in the State of Arkansas and had total capital and surplus at December 31, 1968 of \$237,599. The only business of Insurance Company is the issuance and servicing of variable annuity contracts, which it proposes to offer to the public.

Fund is a separate account established by Insurance Company as a facility for the setting aside and investment of assets attributable to variable annuity contracts offered by Insurance Company. Fund is registered under the Act as an open-end, nondiversified investment company. The net assets of Fund are not chargeable with liabilities arising out of any other business of Insurance Company.

Section 27(c)(2) of the Act requires that the proceeds, after deduction of sales load, of all payments on a periodic payment plan certificate issued by a registered investment company be deposited with a bank having the qualifications prescribed by section 26(a)(1) and be held by the bank as trustee or custodian under an indenture or agreement containing, in substance, the provisions required by section 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities, cash, and other property of the trust, places restrictions on charges which may be made against the trust income and corpus and excludes from expenses which the trustee or custodian may charge against the trust any payments to the depositor or principal underwriter, or any affiliated person thereof, other than a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing book-keeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign.

Fund proposes to enter into a custodian agreement with a bank, Brown Brothers Harriman & Co., for the safe-keeping of the assets of the Fund. Applicants represent that this agreement will comply with the requirements of section 27(c)(2) except to the extent that exemption therefrom is granted pursuant to the application. Applicants request exemption from the provisions of section 26(a)(2), as incorporated in section 27(c)(2), to the extent necessary to permit payments from the assets of the Fund to meet the charges for investment advisory services, administrative services and mortality undertakings provided for in the contracts between the Fund and Insurance Company and to permit the payment of the direct expenses of the Fund, other than expenses

which Insurance Company has agreed to absorb.

Fund proposes to pay to Insurance Company charges aggregating, on an annual basis, 1.75 percent of the current value of the Fund, as follows: 0.5 percent for investment advisory services, 0.5 percent for mortality undertakings, and 0.75 percent for administrative services.

In return for the charge for administrative services, Insurance Company will furnish facilities and personnel for handling the day-to-day affairs of the Fund and will pay all expenses of the fund except taxes; fees of independent actuaries in connection with reserve certification; and audit, custodial, legal, and interest expenses. Insurance Company has undertaken also, for a period of at least 1 year, to absorb any portion of the expenses of the Fund, excluding taxes and interest expense, which, together the charges aggregating 1.75 percent referred to above, exceed in the aggregate the lesser of (1) the investment income of the Fund on an annual basis, or (2) 2 percent, on an annual basis, of the average value of the Fund.

Applicants represent that the charges for mortality undertakings will be credited to a special contingency reserve for mortality losses and not removed from such contingency reserve except in compliance with the Arkansas Insurance Code and that all amounts credited to the special contingency reserve for mortality undertakings will remain in the reserve until the next examination and determination of reserves by the Arkansas Insurance Commissioner.

Applicants consent that the requested exemption may be made subject to the conditions: (1) That charges for administrative services under variable annuity contracts funded by United Variable Annuity Fund A shall not exceed such reasonable amount as the Commission shall prescribe, the Commission reserving jurisdiction for such purpose; (2) that the payment of sums and charges out of the trustee assets, other than such charges for administrative services, shall not be deemed to be exempted from regulation by the Commission by reason of the granting of the requested exemption, provided that the applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of the trustee assets other than charges for administrative services, and applicants reserve the right, in any proceeding before the Commission or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges; and (3) that the Commission may reserve jurisdiction over all the terms of the custodian agreement with Brown Brothers Harriman & Co.

Section 6(c) of the Act authorizes the Commission to exempt, conditionally or unconditionally, any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provisions of the Act or the Rules promulgated thereunder, if and to the extent that such exemption is necessary

or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 3, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-9933; Filed, Aug. 20, 1969;
8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 732]

ARIZONA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of August 1969, because of the effects of certain disasters, damage resulted to residences and business property located in Pinal County, Ariz.;

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

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

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

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office be-

below indicated from persons or firms whose property, situated in the aforesaid County, and areas adjacent thereto, suffered damage or destruction resulting from windstorm occurring on August 7, 1969.

OFFICE

Small Business Administration Regional Office, 2727 North Central Avenue, Phoenix, Ariz. 85004

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to February 28, 1970.

Dated: August 13, 1969.

R. B. BLANKENSHIP,
Acting Administrator.

[F.R. Doc. 69-9934; Filed, Aug. 20, 1969;
8:48 a.m.]

UTILITY CAPITAL CORP.

Notice of License Surrender

Notice is hereby given that Utility Capital Corp., 121 Prospect Street, Post Office Box 133, Westfield, N.J. 07090, pursuant to a Stipulation of Settlement, Civil No. 1159-66, entered on July 29, 1969, by the U.S. District Court for the District of New Jersey, has pursuant to section 107.105 of the SBA Regulations surrendered its license to operate as a small business investment company.

Utility Capital Corp. was incorporated under the laws of the State of New Jersey solely for the purpose of operating as a small business investment company under the Small Business Investment Act, as amended, and the regulations promulgated pursuant thereto. It was licensed by the Small Business Administration on April 6, 1961 (license No. 02/02-0056).

Under the authority vested by the Small Business Investment Act of 1958, as amended, and pursuant to the regulations promulgated thereunder, the surrender of the licensee of Utility Capital Corp. is hereby accepted and accordingly, all rights, privileges, and franchises derived therefrom have been canceled and terminated.

Dated: August 11, 1969.

A. H. SINGER,
Associate Administrator
for Investment.

[F.R. Doc. 69-9935; Filed, Aug. 20, 1969;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1323]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

AUGUST 15, 1969.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49

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

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

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the applicant 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 2202 (Sub-No. 377), filed July 16, 1969. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309.

Applicant's representatives: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036, and Douglas Faris, Post Office Box 471, Akron, Ohio 44309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Baxter Springs, Kans., and Wichita, Kans.: From Baxter Springs over Kansas Highway 26 to junction Kansas Highway 96, thence over Kansas Highway 96 to junction U.S. Highway 169, thence over U.S. Highway 169 to junction U.S. Highway 160, thence over U.S. Highway 160 to junction Kansas Highway 99, thence over Kansas Highway 99 to junction Kansas Highway 96, thence over Kansas Highway 96 to Wichita, Kans., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only; (2) between Baxter Springs, Kans., and Coffeyville, Kans.: From Baxter Springs over U.S. Highway 166 to Coffeyville, and return over the same route, as an alternate route for operating convenience only, and serving no intermediate points; and (3) between Coffeyville, Kans., and Wichita, Kans.: From Coffeyville over U.S. Highway 166 to junction Kansas Highway 99, thence over Kansas Highway 99 to junction Kansas Highway 96, thence over Kansas Highway 96 to junction U.S. Highway 54, thence over U.S. Highway 54 to Wichita, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points. NOTE: Applicant states the purpose of these routes is to enable the applicant to combine Wichita, Coffeyville, and Joplin traffic in various loading combinations in the same vehicle. The proposed routes would also shorten the route of applicant's movement of Coffeyville traffic to and from the east and southeast. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2900 (Sub-No. 174), filed July 25, 1969. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox (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, household goods as defined by the Commission, commodities requiring special equipment, commodities in bulk, and those injurious or contaminating to other lading), serving the plantsite of Glasrock Products, Inc., at or near Barton, Ala., as an off-route point in connection with its regular routes authority to and from Tuscumbia, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 2986 (Sub-No. 33), filed July 24, 1969. Applicant: I & S—McDANIEL, INC., Vincennes, Ind. 47591. Appli-

cant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. 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 Indianapolis, Ind., and Louisville, Ky.; from Indianapolis, Ind., over U.S. Highway 31 to its junction with Interstate Highway 65, thence over Interstate Highway 65 to Louisville, Ky., and return over the same route serving no intermediate points, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it to be held at Indianapolis, Ind.

No. MC 20894 (Sub-No. 13), filed August 1, 1969. Applicant: P. CALLAHAN, INC., 5240 Comly Street, Philadelphia, Pa. 19135. Applicant's representatives: Terrence L. Bowers (same address as applicant), and Edward F. Kane, 522 Swede Street, Norristown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Advertising material, books, records, and record albums, and commodities* dealt in by manufacturers of electrical equipment, between carrier's terminal in Jersey City, N.J., on the one hand, and, on the other, points in Nassau, Suffolk, and Westchester Counties, N.Y.; restricted to shipments shipped by or consigned to General Electric Co., RCA, or Random House, Inc. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant holds contract carrier authority under MC-119140 Sub 1, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

No. MC 25869 (Sub-No. 91), filed August 4, 1969. Applicant: NOLTE BROS. TRUCK LINE, INC., 4734 South 27th Street, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, adhesives, coatings, printing inks, putty, paints, and materials, supplies and equipment* used in the manufacture or application thereof, between Lyons and Rockford, Ill., on the one hand, and, on the other, points in Nebraska, California, Colorado, and Iowa. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 25869 (Sub-No. 92), filed August 4, 1969. Applicant: NOLTE BROS. TRUCK LINE, INC., 4734 South 27th Street, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor

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vehicle, over irregular routes, transporting: *Chemicals, cleaning compounds, coatings, adhesives, paints and paint materials, and material, supplies and equipment* used in the application or manufacture thereof, from Chicago Heights, Ill., to points in Iowa, Nebraska, and Colorado. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 27356 (Sub-No. 3), filed July 28, 1969. Applicant: M-F EXPRESS, INC., 553 South Broadway, Post Office Box 972, Greenville, Miss. 38701. Applicant's representative: Douglas C. Wynn, 618 Washington Avenue, Post Office Box 1295, Greenville, Miss. 38701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, classes A and B explosives, household goods as defined by the Commission, and articles which because of size, weight, or value require special equipment), between Mobile, Ala., and Poplarville, Miss., from Mobile over U.S. Highway 98 to junction Mississippi Highway 26 at or near Lucedale, Miss., thence over Mississippi Highway 26 to Poplarville, and return over the same route, serving the intermediate point of Wiggins, Miss. **NOTE:** Applicant states it will interline with its wholly owned subsidiary, Poplarville Truck Line, Inc., at Poplarville, Miss., for service to all its authorized points under Docket No. MC 13308 and subs. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Greenville or Jackson, Miss., or Memphis, Tenn.

No. MC 29079 (Sub-No. 56), filed July 24, 1969. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union Street, Kokomo, Ind. 46901. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter and materials, supplies and equipment* used or useful in the maintenance and operation of printing houses, restricted against the transportation of commodities in bulk, from Glasgow, Ky., to points in Illinois, Indiana, Ohio, the Lower Peninsula of Michigan and St. Louis, Mo. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 30887 (Sub-No. 161), filed July 29, 1969. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Post Office Box 55, Reisterstown, Md. 21136. Applicant's representatives: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036, and W. Wilson Corrum, Post Office Box 55, Reisterstown, Md. 21136. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Natural latex*, in bulk, from Lorain, Ohio, to points in Ohio, Illinois, Michigan, Indiana, Wisconsin, Minnesota, Missouri, Oklahoma, Virginia, Georgia, North Carolina, Tennessee, New Jersey, Massachusetts, Rhode Island, New York, and California. **NOTE:** Applicant states it will tack with its existing authority under MC 30887 Sub 37, from Baltimore, Md., through Lorain, Ohio, to serve points in Wisconsin, Oklahoma, Minnesota, Missouri, and California and from New York, N.Y., through Lorain, Ohio, to points in Illinois, Michigan, Indiana, Wisconsin, Minnesota, Missouri, Oklahoma, and California. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 34564 (Sub-No. 23), filed July 21, 1969. Applicant: ADOLPH J. DAROSKA, Concord Hill, Pittsfield, N.H. 03263. Applicant's representative: Andre J. Barbeau, 795 Elm Street, Room 510, Manchester, N.H. 03101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bags and in bulk, (1) between Albany, N.Y., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island, (2) between Marlboro, Mass., on the one hand, and, on the other, points in New Hampshire, Vermont, Connecticut, Rhode Island and Maine, and (3) between Hazardville, Conn., on the one hand, and, on the other, points in New Hampshire, Vermont, Massachusetts, Rhode Island, and Maine. **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Concord, N.H., or Boston, Mass.

No. MC 35807 (Sub-No. 8), filed July 24, 1969. Applicant: WELLS FARGO ARMORED SERVICE CORP., 210 Baker Street NW., Atlanta, Ga. 30302. Applicant's representative: Harry J. Jordan, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Money order and traveler's cheques*, from Rochester, N.Y., to Trenton, N.J., Atlanta, Ga., Chicago, Ill., San Francisco, Calif., Denver, Colo., and New York, N.Y., under contract with American Express Co. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 36222 (Sub-No. 14), filed July 29, 1969. Applicant: JOHN L. FANSHAW, JR., doing business as CREWE TRANSFER, Crewe, Va. Applicant's representative: Jno. C. Goddin, 200 West Grace Street, Richmond, Va. 23220. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies* used in the manufacture of wearing apparel between Washington, N.C., and Crewe, Va. **NOTE:** Applicant states it does not intend to tack, and is apparently willing

to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 40978 (Sub-No. 14), filed July 25, 1969. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, a corporation, 3321 Highway 141, South, Sheboygan, Wis. 53081. Applicant's representative: John L. Bruemmer, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture* from Sturgis, Mich., to points in Wisconsin; (2) *new furniture*, between points in Wisconsin; and (3) *new institutional, household and office furniture, fixtures and equipment* from points in Wisconsin to points in Iowa, Illinois, and Indiana. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 42487 (Sub-No. 731), filed July 23, 1969. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: V. R. Oldenburg, Post Office Box 5138, Chicago, Ill. 60680. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, fresh, and meats, fresh frozen*, from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Hereford, Tex., to points in Connecticut, Delaware, Idaho, Maryland, Massachusetts, Montana, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Utah, Washington, and the District of Columbia, restricted to traffic originating at the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Hereford, Tex., and destined to the above-specified destination points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 45059 (Sub-No. 11), filed July 14, 1969. Applicant: MCNAUGHTON BROS., INC., 625 South Street, Indiana, Pa. 15701. Applicant's representative: Alan F. Wohlstetter, 1 Faragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Indiana, Westmoreland, Armstrong, Blair, Cambria, Allegheny, Clearfield, and Jefferson Counties, Pa.; restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 48958 (Sub-No. 105), filed July 28, 1969. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Morris G. Cobb, 601 Ross Street, Post Office Box 9050, Amarillo, Tex. 79105. 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, commodities requiring special equipment, and those injurious or contaminating to other lading), between Barstow, Calif., and Levan, Utah, over U.S. Highway 91 (Interstate Highway 15) and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, and serving Levan, Utah, for purposes of joinder only, in connection with carrier's authorized regular route operations between Barstow, Calif., and Salt Lake City, Utah. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 50069 (Sub-No. 427), filed July 24, 1969. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* in bulk, in tank vehicles, from the plantsite of the Stepan Chemical Co. at or near Millsdale, Ill., to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Maine, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, Wyoming, and Virginia. **NOTE:** Applicant states it will join the authority sought herein with the authority it holds in MC-50069, Sub 416, wherein it is authorized to transport similar commodities from the same plantsite to points in Indiana, Connecticut, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, West Virginia, Wisconsin, and certain limited areas of Missouri and Kansas. Applicant further states no duplicative authority sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52709 (Sub-No. 309), filed July 28, 1969. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Applicant's representative: Eugene Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packing-houses*, as described in sections A, B, and

C of appendix 1 to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Sioux Falls, S. Dak., to Cedar City, Utah, and Las Vegas, Nev. **NOTE:** Applicant states it will tack with its regular route authority at Las Vegas to perform through service to points in Nevada and California. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 72442 (Sub-No. 24), filed June 30, 1969. Applicant: AKERS MOTOR LINES, INCORPORATED, Post Office Box 579, Gastonia, N.C. 28052. Applicant's representatives: Lennox O. Boyles (same address as applicant), and Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. 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, tobacco, liquor, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), operating over all highways (except its presently authorized service routes) in Berks, Carbon, Lehigh, Northampton, Lebanon, Lancaster, Chester, Montgomery, Bucks, and Schuylkill Counties, Pa., for operating convenience only, performing service at those points presently authorized to be served on its present regular route operating authority. **NOTE:** Applicant states the purpose of this application is to permit applicant to conduct a more efficient and economical operation within the described area of Pennsylvania. Applicant further states it seeks no authority to serve any point not now authorized to be served. If a hearing is deemed necessary, applicant requests it be held in Washington, D.C.

No. MC 72442 (Sub-No. 26), filed August 1, 1969. Applicant: AKERS MOTOR LINES, INCORPORATED, Post Office Box 579, Gastonia, N.C. 28052. Applicant's representatives: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303, and Lennox O. Boyles (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, tobacco, liquor, commodities in bulk, commodities requiring special equipment and household goods as defined by the Commission):

(1) Between Greensboro, N.C., and Thomasville, Ga.: From Greensboro over U.S. Highway 29 and Alternate U.S. Highway 29 via Charlotte, N.C.; Spartanburg and Greenville, S.C.; Athens and Atlanta, Ga.; to La Grange, Ga., thence over Georgia Highway 219 to junction Georgia Highway 103, thence over Georgia Highway 103 to Columbus, Ga. (also from Greenville over U.S. Highway 123 to Cornelia, Ga., thence over U.S. Highway 23 to Atlanta, and thence over Georgia Highway 85 to Columbus), thence over U.S. Highway 280 to Richmond, Ga., thence over Georgia Highway 55 to Dawson, Ga., thence over U.S. Highway 82 to Albany (also from Athens

over U.S. Highway 129 to Macon, Ga., thence over U.S. Highway 41 to Cordele, Ga., and thence over Georgia Highway 257 to Albany), thence over U.S. Highway 19 to Thomasville (also from Albany over Georgia Highway 133 to Moultrie, Ga., and thence over U.S. Highway 319 to Thomasville), and return over the same route, serving all intermediate points;

(2) Between Raleigh, N.C., and Charlotte, N.C.: (a) From Raleigh over U.S. Highway 70 to Greensboro, N.C., thence over U.S. Highway 421 to Winston-Salem, N.C., thence over U.S. Highway 158 to Mocksville, N.C., thence over U.S. Highway 64 to Statesville, N.C., thence over U.S. Highway 21 to Charlotte, and return over the same route, serving all intermediate points;

(b) From Raleigh over U.S. Highway 64 to Asheboro, N.C., thence over North Carolina Highway 49 to Charlotte, and return over the same route; serving all intermediate points; and

(c) From Raleigh over U.S. Highway 1 to Sanford, N.C., thence over U.S. Highway 15 to Carthage, N.C., thence over North Carolina Highway 27 to Charlotte, and return over the same route, serving all intermediate points;

(3) Between Statesville, N.C., and Hazelwood, N.C.: From Statesville over U.S. Highway 70 and Alternate U.S. Highway 70 via Conover to Asheville, N.C., thence over U.S. Highway 23 to Hazelwood, and return over the same route, serving all intermediate points;

(4) Between Kings Mountain, N.C., and Asheville, N.C.: From Kings Mountain over U.S. Highway 74 via Shelby, N.C., to Forest City, N.C. (also from Shelby over North Carolina Highway 150 to Boiling Springs, N.C., thence over unnumbered highway to Cliffside, N.C., thence over Alternate U.S. Highway 221 to Forest City), thence over U.S. Highway 74 to Asheville, and return over the same routes, serving all intermediate points;

(5) Between Conover, N.C., and Monroe, N.C.: From Conover over North Carolina Highway 16 to Newton, N.C. (also from Conover over U.S. Highway 321 to Newton, N.C.), thence over U.S. Highway 321 to Lincolnton, N.C., thence over North Carolina Highway 27 to Charlotte, N.C., thence over U.S. Highway 74 to Monroe, and return over the same route, serving all intermediate points;

(6) Between Salisbury, N.C., and Albemarle, N.C.: From Salisbury over U.S. Highway 52 via New London, N.C., to Albemarle (also from New London over North Carolina Highway 740 to Badin, N.C., thence over unnumbered highway to Albemarle), and return over the same routes, serving all intermediate points;

(7) Between Asheville, N.C., and junction U.S. Highway 25 and South Carolina Highway 19 near Trenton, S.C.: From Asheville over U.S. Highway 25 to junction South Carolina Highway 19 near Trenton, and return over the same route, serving all intermediate points;

(8) Between Hendersonville, N.C., and Whitmire, S.C.: From Hendersonville over U.S. Highway 176 to Whitmire and

return over the same route, serving all intermediate points;

(9) Between Charlotte, N.C., and Albany, Ga.: From Charlotte over U.S. Highway 21, via Pineville, N.C., and Columbia, S.C., to Salkehatchie, S.C., thence over Alternate U.S. Highway 17 to Pocatigo, S.C., thence over U.S. Highway 17 to Savannah, Ga. (also from Pineville over U.S. Highway 21 to the North Carolina-South Carolina State line, thence over South Carolina Highway 72 via Rock Hill, S.C., to Chester, S.C., thence over U.S. Highway 321 to Savannah), thence over U.S. Highway 17, via Midway, Ga., to Brunswick, Ga., thence over U.S. Highway 84 to Waycross, Ga. (also from Midway over Georgia Highway 38 to Waycross), thence over U.S. Highway 82 to Albany, and return over the same route, serving all intermediate points;

(10) Between Concord, N.C., and Augusta, Ga.: From Concord over U.S. Highway 601 to Kershaw, S.C., thence over U.S. Highway 521 to Camden, S.C., thence over U.S. Highway 1 to Augusta, and return over the same route, serving all intermediate points;

(11) Between Gastonia, N.C., and Augusta, Ga.: From Gastonia over U.S. Highway 321 to Chester, S.C., thence over South Carolina Highway 72 to Whitmire, S.C., thence over U.S. Highway 176 to junction South Carolina Highway 121, thence over South Carolina Highway 121 to junction U.S. Highway 25 near Trenton, S.C., thence over U.S. Highway 25 to Augusta, and return over the same route, serving all intermediate points;

(12) Between North Augusta, S.C., and Fairfax, S.C.: From North Augusta over U.S. Highway 278 to Fairfax, and return over the same route, serving all intermediate points;

(13) Between Camden, S.C., and Charleston, S.C.: From Camden over U.S. Highway 521 to Sumter, S.C., thence over U.S. Highway 15 to Wells, S.C., thence over U.S. Highway 176 to Charleston, and return over the same route, serving all intermediate points;

(14) Between Columbia, S.C., and Sumter, S.C.: From Columbia over U.S. Highway 76 to Sumter, and return over the same route, serving all intermediate points;

(15) Between junction U.S. Highway 176 and U.S. Highway 21 near Sandy Run, S.C., and Wells, S.C.: From junction U.S. Highway 176 and U.S. Highway 21 over U.S. Highway 176 to Wells, and return over the same route, serving all intermediate points;

(16) Between Pineville, N.C., and Kershaw, S.C.: From Pineville over U.S. Highway 521 to Kershaw, and return over the same route, serving all intermediate points;

(17) Between Chester, S.C., and Lancaster, S.C.: From Chester over South Carolina Highway 9 to Lancaster, and return over the same route, serving all intermediate points;

(18) Between Spartanburg, S.C., and Laurens, S.C.: From Spartanburg, over U.S. Highway 221 to Laurens, and return

over the same route, serving all intermediate points;

(19) Between Greenville, S.C., and Newberry, S.C.: From Greenville over U.S. Highway 276 to junction South Carolina Highway 14, thence over South Carolina Highway 14 to Laurens, S.C., thence over U.S. Highway 76 to Newberry, and return over the same route, serving all intermediate points;

(20) Between Greenville, S.C., and Calhoun Falls, S.C.: From Greenville over South Carolina Highway 81 to Calhoun Falls, and return over the same route, serving all intermediate points;

(21) Between Clemson, S.C., and Laurens, S.C.: From Clemson over U.S. Highway 76 to Laurens, and return over the same route, serving all intermediate points;

(22) Between Whitmire, S.C., and Athens, Ga.: From Whitmire over South Carolina Highway 72 to the South Carolina-Georgia State line, thence over Georgia Highway 72 to Athens, and return over the same route, serving all intermediate points;

(23) Between Seneca, S.C., and Monroe, Ga.: From Seneca over South Carolina Highway 59 to the South Carolina-Georgia State line thence over Georgia Highway 59 to Commerce, Ga., thence over Georgia Highway 15 to Jefferson, Ga., thence over Georgia Highway 11 to Monroe, and return over the same route, serving all intermediate points;

(24) Between Atlanta, Ga., and Augusta, Ga.: From Atlanta over U.S. Highway 78 via Athens, Ga., to Thomson, Ga. (also from Atlanta over U.S. Highway 278 to Thomson) thence over U.S. Highway 78 to Augusta, and return over the same routes, serving all intermediate points;

(25) Between Atlanta, Ga., and Jesup, Ga.: From Atlanta over U.S. Highway 41 to Forsyth, Ga. (also from Atlanta over U.S. Highway 23 to Forsyth), thence over U.S. Highway 41 to Macon, Ga., thence over U.S. Highway 23 to Hazlehurst, Ga., thence over U.S. Highway 341 to Jesup, and return over the same routes, serving all intermediate points;

(26) Between Echeconnee, Ga., and Albany, Ga.: From Echeconnee over Georgia Highway 49 to Americus, Ga., thence over U.S. Highway 19 to Albany, and return over the same route, serving all intermediate points;

(27) Between Cordele, Ga., and Valdosta, Ga.: From Cordele over U.S. Highway 41 to Valdosta, and return over the same route, serving all intermediate points;

(28) Between Madison, Ga., and Woodbury, Ga.: From Madison over Georgia Highway 83 to Monticello, Ga., thence over Georgia Highway 16 to Griffin, Ga., thence over U.S. Highway 19 to Zebulon, Ga., thence over Georgia Highway 18 to Woodbury, and return over the same route, serving all intermediate points;

(29) Between Zebulon, Ga., and Barnesville, Ga.: From Zebulon over U.S. Highway 19 to Thomaston, Ga., thence over Georgia Highway 36 to Barnesville,

and return over the same route, serving all intermediate points;

(30) Between Fort Valley, Ga., and Eastman, Ga.: From Fort Valley over Georgia Highway 7 to Perry, Ga., thence over U.S. Highway 341 to Hawkinsville, Ga., thence over Georgia Highway 27 to Eastman, and return over the same route, serving all intermediate points;

(31) Between Camilla, Ga., and Moultrie, Ga.: From Camilla over Georgia Highway 37 to Moultrie, and return over the same route, serving all intermediate points;

(32) Between Gray, Ga., and Warrenton, Ga.: From Gray over Georgia Highway 22 to Sparta, Ga., thence over Georgia Highway 16 to Warrenton, and return over the same route, serving all intermediate points;

(33) Between Macon, Ga., and Eastman, Ga.: From Macon over U.S. Highway 80 to Dublin, Ga., thence over U.S. Highway 319 to junction Georgia Highway 117, thence over Georgia Highway 117 to Eastman, and return over the same route, serving all intermediate points;

Serving the following off-route points in connection with routes described above: Coolee, Leaksville-Spray, Norwood, and Mount Gilead, N.C., and points in North Carolina within 25 miles of Gastonia, N.C.; Catechee, Cherokee Falls, Kings Creek, Pickens, Walhalla, Buffalo, Lockhart, Hampton, Fort Jackson, and Parris Island, S.C., points within 15 miles of Spartanburg, S.C., and points within 15 miles of Greenville, S.C.; Bainbridge, Clarksville, Clayton, Clyattville, Claxton, Douglas, Habersham, Hawkinsville, Juliette, Millen, Milstead, Porterdale, Pottersville, Warm Springs, Warner Robins, and Woodland, Ga. Restriction: The service proposed to be authorized above is subject to the following conditions:

(1) Service at authorized points in South Carolina (other than those in Anderson, Oconee, Pickens, Greenville, Spartanburg, Cherokee, Laurens, Union, York, Greenwood, Abbeville, Chester, Lancaster, Newberry, and Fairfield Counties) is restricted to traffic moving to or from points north of the North Carolina-Virginia State line.

(2) Service at authorized points in Georgia, except for the pick up of cotton piece goods, is restricted to traffic originating at or destined to (a) points in the 15 South Carolina counties named above, (b) Gastonia, N.C., and points in North Carolina within 25 miles of Gastonia, and (c) points north of the North Carolina-Virginia State line.

NOTE (A): The authority described herein duplicates all portions of Part "C" of the authority issued to applicant in MC-72442 (Sub-No. 4). Applicant agrees to the cancellation of this duplicating authority if this application is approved.

(B): Applicant states the purpose of this application is to eliminate applicant's existing gateway on operations from and to Chester, Lancaster, Newberry, and Fairfield Counties, S.C. Applicant is presently authority to serve

these counties by operating through Gaston County, N.C. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 72442 (Sub-No. 27), filed July 28, 1969. Applicant: AKERS MOTOR LINES, INCORPORATED, Post Office Box 579, Gastonia, N.C. 28052. Applicant's representatives: Lenox O. Boyles (same address as applicant), and Paul M. Daniel, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, tobacco, liquor, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), between Remington, Va., and Leesburg, Va., from Remington over U.S. Highway 15 to Leesburg, and return over the same route serving no intermediate points, as an alternate route for operating convenience only. NOTE: Applicant states this application is to permit it to bypass Washington, D.C., in its present east-south operations. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 72442 (Sub-No. 28), filed August 4, 1969. Applicant: AKERS MOTOR LINES, INCORPORATED, Post Office Box 579, Gastonia, N.C. 28052. Applicant's representatives: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303, and Lennox O. Boyles (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, tobacco, liquor, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), serving Farmingdale, Long Island, N.Y., as an off-route point in connection with the carrier's existing regular-route operation. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 73165 (Sub-No. 268), filed July 22, 1969. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 1348, Birmingham, Ala. 35201. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers, caps, covers, stoppers and tops*, between Mineral Wells, Miss., and points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas and all States east thereof, except Mississippi. NOTE: Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 73618 (Sub-No. 5), filed July 18, 1969. Applicant: BIVINS' FREIGHT SERVICE, INC., 55 South Wade Boulevard, Millville, N.J. 08332. Applicant's

representative: William P. Jackson, Jr., 1819 H Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sand*, from points in Winslow Township, N.J., to points in New York, Connecticut, Pennsylvania, Delaware, and Maryland; and (2) *ground, crushed, or pulverized stone*, from points in Philadelphia, Bucks, Montgomery, Delaware, and Chester Counties, Pa., to points in New Jersey. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 78687 (Sub-No. 25), filed July 29, 1969. Applicant: LOTT MOTOR LINES, INC., Routes 6 and 92, Rural Delivery 4, Tunkhannock, Pa. 18657. Applicant's representative: E. Stephen Heisley, 705 McLachlen Bank Building, 666 11th Street, N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron, steel, and metal*, from Ithaca, N.Y., to points in Pennsylvania. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant holds contract carrier authority under MC 2505, therefore, dual operation and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Ithaca, Elmira, Binghamton, N.Y., or Washington, D.C.

No. MC 82492 (Sub-No. 29), filed July 31, 1969. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 693 Plymouth Avenue NE., Grand Rapids, Mich. 49505. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Postville, Iowa, to points in Wisconsin, Illinois, Indiana, Ohio, and Michigan. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, Chicago, Ill., or Detroit, Mich.

No. MC 83539 (Sub-No. 261), filed July 28, 1969. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex. 75222. Applicant's representative: J. P. Welsh, Post Office Box 5976, Dallas, Tex. 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe*, other than pipe used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their prod-

ucts and byproducts, including pipe connections, couplings, or fittings, when moving in connection therewith, from Gainesville, Tex., to points in Louisiana, Missouri, Oklahoma, and Texas. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 87720 (Sub-No. 93), filed July 23, 1969. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic products*, other than bulk, from Flemington, N.J., to points in New York, Connecticut, Massachusetts, Rhode Island, Maine, Vermont, New Hampshire, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Ohio, and the District of Columbia, and (2) *materials and supplies*, other than bulk, from the above-named destination territory to Flemington, N.J., under contract with Bemis Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 88141 (Sub-No. 6) (Correction), filed June 4, 1969, published FEDERAL REGISTER of June 26, 1969, corrected July 18, 1969, and republished as corrected, this issue. Applicant: SPENCER TRANSFER, INC., 830 Bollingbrook Street, Petersburg, Va. 23831. Applicant's representative: Jno. C. Goddin, 200 West Grace Street, Richmond, Va. 23220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Transil oil*, in bulk, in tank vehicles, between points in Virginia and points in Grant, Greenbrier, Mercer, McDowell, Monroe, Pocahontas, Raleigh, Summers, and Wyoming Counties, W. Va., and points in Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Edgecombe, Gates, Granville, Greene, Halifax, Hertford, Hyde, Martin, Nash, Northampton, Pimlico, Pasquotank, Perquimans, Pitt, Tyrrell, Vance, Warren, and Washington Counties, N.C., under a continuing contract with Virginia Electric & Power Co. NOTE: The purpose of this republication is to correctly describe the commodity description as transil oil in lieu of transit oil as previously published. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 93151 (Sub-No. 9), filed July 14, 1969. Applicant: ROWE CAMBRIDGE MOTOR TRANSPORTATION, INC., Rural Delivery No. 3, Tyrone, Pa. 16686. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard*, from Tyrone, Pa., to points in Alabama, Arkansas,

Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland within 50 miles of Gaithersburg, Md., Michigan, Minnesota, Mississippi, Missouri, New Hampshire, Ohio, west of Ohio Highway 4, Oklahoma, Tennessee, Texas, Vermont, Virginia, West Virginia within 50 miles of Gaithersburg, Md., Wisconsin, and the District of Columbia, and points in Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Union, and Warren Counties, N.J., and points in Dutchess, Kings, Nassau, Putnam, Queens, Richmond, Suffolk, and Westchester Counties, N.Y., under a continuing contract or contracts with Westvaco Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 97471 (Sub-No. 2), filed July 31, 1969. Applicant: LINK TRUCK LINES, INC., Post Office Box 117, Genoa, Colo. 80818. Applicant's representative: John Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except in bulk, in tank vehicles (a) between points in: that part of Yuma County, Colo., south of U.S. Highway 34, Kit Carson County, Colo.; and that part of Cheyenne County, Colo., north of U.S. Highway 40; and (b) between points in the territory described in (a) above, on the one hand, and, on the other, points in Colorado. **NOTE:** Applicant states it intends to tack within 25 miles of Joes, Colo., to serve points in Kansas. Applicant holds certificate of registration MC 97471 and here seeks to convert it to a certificate of public convenience and necessity upon purchase of G & E, MC 26161 in MC-FC-71583 proceedings. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 99351 (Sub-No. 4), filed August 1, 1969. Applicant: HOWARD FLORA, doing business as HOWARD FLORA FREIGHT LINE, 1051 East Second Street, Maysville, Ky. 41056. 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 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 Augusta and Maysville, Ky., over Kentucky Highway 8, serving all intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Lexington, Ky.

No. MC 100666 (Sub-No. 147), filed August 1, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Absorbent ground clay*, in bags, from the plantsite of Oil-Dri Corporation of Amer-

ica near Cairo, Ga., to points in Alabama, Mississippi, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Louisiana, Arkansas, Missouri, Iowa, Texas, Oklahoma, Kansas, New Mexico, Colorado, Arizona, and California. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 103993 (Sub-No. 447), filed July 28, 1969. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghe-sani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated or precut buildings*, complete, knocked down, or in sections, and *parts and materials* used in the assembly and erection thereof, from points in Multnomah County, Oreg., to points west of the Mississippi River including Louisiana and Minnesota, excluding Hawaii and Alaska. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 103993 (Sub-No. 448), filed July 28, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghe-sani 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, from points in Lexington County, S.C., to points in the United States (excluding Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 105457 (Sub-No. 65), filed July 9, 1969. Applicant: THURSTON MOTOR LINES, INC., 601 Johnson Road, Charlotte, N.C. 28201. Applicant's representative: Roland Rice, Suite 618, Perpetual Building, 1111 E Street, NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Textile products and materials and supplies*, from points in Cleveland and Rowan Counties, N.C.; South Greenville, S.C.; and Port Rayon, Tenn.; to Bowling Green, Ky.; and (2) *empty warp beams*, from Bowling Green, Ky., to points in Cleveland and Rowan Counties, N.C.; South Greenville, S.C.; and Port Rayon, Tenn. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states it now holds common carrier authority to service all of the points in North Carolina, South Carolina, and Tennessee for which authority is herein sought. The au-

thority to service points in Tennessee is restricted to shipments moving to, from, and through a point in South Carolina or points located within 35 miles of Clover, S.C. The purpose of this application is to secure authority to serve Bowling Green, Ky., and points located within the commercial zone thereof and to eliminate the gateway requirement. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Washington, D.C.

No. MC 106398 (Sub-No. 411), filed August 1, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (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; and (2) *buildings*, in sections, equipped with hitchball connector, in initial movements, from points in Perry County, Ark., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock or Fort Smith, Ark.

No. MC 106398 (Sub-No. 412), filed July 30, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (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 and *buildings*, in sections, equipped with hitchball connector, in initial movements, from points in Antelope County, Nebr., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant seeks no duplicating authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 106398 (Sub-No. 413), filed July 30, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull and Fred Rahal, Jr. (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 and *buildings*, in sections, equipped with hitchball connector, from De Soto Parish, La., to points in the United States (except Alaska and Hawaii), and (2) *trailers* designed to be drawn by passenger automobiles all in initial movements, from Monroe County, Miss., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that it does not

intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant states also that no duplicating authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Jackson, Miss.

No. MC 106760 (Sub-No. 111), filed July 24, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Irvin Tull and Fred Rahal, Jr., 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing and roofing materials, urethane and urethane products; and related materials, supplies and accessories incidental thereto*, from the plantsite and warehouse sites of Celotex Corp. at Fort Dodge and Dubuque, Iowa, to points in the United States (except Washington, Oregon, Idaho, California, Nevada, Utah, Arizona, Alaska, and Hawaii). NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states that no duplicating authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Chicago, Ill.

No. MC 106760 (Sub-No. 112), filed July 24, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Fred Rahal, Jr., and Irvin Tull, 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing and roofing materials, urethane and urethane products, and related materials, supplies, and accessories incidental thereto*; (1) from the plantsite and warehouse site of Celotex Corp. in Chicago, Ill., to points in the United States except Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, Alaska, and Hawaii; and (2) from the plantsite and warehouse site of Celotex Corp. in Lagro, Ind., to Birmingham, Ala., and points within 65 miles thereof and points in Colorado, Connecticut, Indiana, Kansas, Maine, Massachusetts, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Chicago, Ill.

No. MC 106760 (Sub-No. 113), filed July 24, 1969. Applicant: WHITEHOUSE

TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43615. Applicant's representatives: Irvin Tull and Fred Rahal, Jr., 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing and roofing materials, urethane and urethane products and related materials, supplies, and accessories incidental thereto*; (1) from the plant and warehouse sites of Celotex Corp. in Henry County, Tenn.; Fairfield, Ala.; and Camden, Ark.; to points in the United States (except Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Alaska, and Hawaii); and (2) from the plant and warehouse sites of Celotex Corp. in Marrero, La., to points in Colorado, Connecticut, Indiana, Kansas, Louisiana, Maine, Massachusetts, Minnesota, Nebraska, New Hampshire, New Mexico, New York, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Texas, Vermont, and Wyoming. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states that no duplicating authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Chicago, Ill.

No. MC 106760 (Sub-No. 114), filed July 24, 1969. Applicant: WHITEHOUSE TRUCKING, INC., 5020 Angola Road, Toledo, Ohio 43614. Applicant's representatives: Irvin Tull and Fred Rahal, Jr., 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing and roofing materials, urethane and urethane products and related materials, supplies, and accessories incidental thereto*; (1) from the plantsite and warehouse site of Celotex Corp. in Deposit, N.Y., and Carteret, N.J., to points in the United States (except Washington, Oregon, Idaho, California, Nevada, Utah, Arizona, Alaska, and Hawaii); (2) from the plant and warehouse sites of Celotex Corp. in Harding, Pa., to points in the United States (except Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Utah, Arizona, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, Alaska, and Hawaii); and (3) from the plant and warehouse sites of Celotex Corp. in Port Clinton, Ohio, to points in Indiana, New York, North Carolina, and South Carolina. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states that no duplicating authority is being sought. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Chicago, Ill.

No. MC 107002 (Sub-No. 378), filed July 28, 1969. Applicant: MILLER

TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: John J. Borth (same address as applicant), and H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank or hopper-type vehicles, from Decatur, Ala., to points in Alabama, Connecticut, Florida, Georgia, Indiana, Kentucky, Louisiana, North Carolina, Pennsylvania, South Carolina, Tennessee, and Texas. NOTE: Applicant states that although tacking is not contemplated at this time, the authority sought could be tacked with presently held authority to perform a through service over reasonable routes, whereas applicant holds authority in the States of Alabama, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, Pennsylvania, Tennessee, and Texas. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 107295 (Sub-No. 209), filed July 23, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardwood flooring and lumber products*, from Laona, Wis., to points in Minnesota, Missouri, New York, and Pennsylvania. NOTE: Applicant states it will tack with its lead MC 107295 Part (B) where feasible. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Chicago, Ill.

No. MC 107295 (Sub-No. 210), filed July 23, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Post Office Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *House trailers and mobile homes* when mounted on wheeled undercarriages with hitch-ball connector; trailers, designed to be drawn by passenger automobile in initial movement; *prefabricated buildings*, complete, knocked down, or in sections; and all *component parts* used in the erection or assembling thereof, from points in Pennsylvania to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. NOTE: Applicant states that it would tack with its lead certificate in MC 107295 where feasible. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 107295 (Sub-No. 211), filed July 28, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Roof and floor decking; roof and floor forms; and accessories* used in the installation thereof; (1) from Wilmington, N.C., to points in Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Louisiana, Mississippi, Arkansas, and Oklahoma; and (2) from South Holland, Ill., to points in Wisconsin, Missouri, Kansas, Nebraska, North Dakota, South Dakota, Iowa, Indiana, Michigan, Kentucky, Tennessee, Ohio, Minnesota, Oklahoma, Texas, Arkansas, Louisiana, Mississippi, Alabama, West Virginia, Pennsylvania, and New York. NOTE: Applicant states it will tack with MC 107295 Part (B) where feasible. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 107295 (Sub-No. 212), filed July 28, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal siding and accessories*, from Chicago, Ill., to points in the United States (except Washington, Oregon, California, Idaho, Utah, Arizona, Nevada, Alaska, and Hawaii). NOTE: Applicant states it intends to tack with MC 107295 Part (B) where feasible. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107515 (Sub-No. 670), filed July 23, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representatives: H. L. Gundlach (same address as above), and 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: *Plastic materials*, liquid and film on sheeting other than cellulose and *plastic moulding compound in packages*, in vehicles equipped with mechanical refrigeration; (1) from Stamford, Conn., to points in Virginia, Maryland, Pennsylvania, New Jersey, Ohio, Illinois, Wisconsin, Michigan, Minnesota, Iowa, Kansas, Texas, Alabama, Florida, Georgia, Tennessee, North Carolina, and South Carolina; and (2) from Norwalk, Conn., to Marlborough, Andover, Ipswich, and West Concord, Mass. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Boston, Mass.

No. MC 108053 (Sub-No. 89), filed August 1, 1969. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: (1) *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; and *food-stuffs* (except meats and packinghouse products as described above), when moving in the same vehicle at the same time with meats and packinghouse products, from Austin, Minn., Fremont, Nebr., and Fort Dodge, Iowa; to points in Arizona, California, Oregon, Utah, and Washington; and (2) *meats, meat products, and meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Des Moines, Iowa; Mitchell and Huron, S. Dak.; and Scottsbluff, Nebr.; to points in California, Arizona, Oregon, Utah, and Washington. The authority sought in (1) and (2) above is to be restricted to traffic originating at the plantsite and/or warehouse facilities of the I-D Packing Co., Des Moines, Iowa; Rod Barnes Packing Co., Huron, S. Dak.; Scottsbluff Packing Co., Scottsbluff, Nebr.; and Geo. A. Hormel & Co., at all other named origins. Traffic is also restricted to traffic destined to the named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108207 (Sub-No. 268), filed July 30, 1969. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Dallas, Tex. 75222. Applicant's representative: J. B. Ham, Post Office Box 5888, Dallas, Tex. 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Human blood plasma*, frozen, from Phoenix, Ariz., to Los Angeles, Calif. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Dallas, Tex.

No. MC 109124 (Sub-No. 14), filed July 30, 1969. Applicant: SENTLE TRUCKING CORPORATION, 210 West Alexis Road, Toledo, Ohio 43612. Applicant's representative: James M. Burch, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition boards, insulating materials, roofing and roofing materials, urethane and urethane products, and related materials, supplies and accessories* used in the installation of said products, from the plantsite of the Celotex Corp. in Port Clinton, Ohio, to points in Illinois, Michigan (Lower Peninsula), Indiana, New York, Pennsylvania, West Virginia, and Kentucky. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed neces-

sary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 109236 (Sub-No. 22), filed August 4, 1969. Applicant: G. GRANT SIMS, ELMER L. SIMS, AND M. K. SIMS, a partnership, doing business as SALT LAKE TRANSFER COMPANY, 35 South Fifth West, Salt Lake City, Utah 84101. Applicant's representative: Keith E. Taylor, 520 Kearns Building, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which because of size or weight require special handling or the use of special equipment, and (2) *classes A and B explosives*, between points in the United States (except Hawaii), restricted to traffic moving to or from military or Department of Defense establishments. NOTE: No duplicating authority is being sought. Applicant shall eliminate all such duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, Washington, D.C., Boise, Idaho, Denver, Colo., or San Francisco, Calif.

No. MC 109533 (Sub-No. 39) (Amendment), filed December 6, 1968, published in the FEDERAL REGISTER issue of December 28, 1968, and republished as amended this issue. Applicant: OVERTITE TRANSPORTATION COMPANY, a corporation, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: Eugene T. Liipfert, 11th Floor, 1660 L Street NW., Washington, D.C. 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), (1) between Denmark, S.C., and Jacksonville, Fla., from Denmark over U.S. Highway 321 to junction U.S. Highway 17, thence over U.S. Highway 17 to Jacksonville, and return over the same route, serving all intermediate points in South Carolina and the intermediate point of Savannah, Ga.; (2) between Augusta, Ga., and Fairfax, S.C., over U.S. Highway 278, serving all intermediate points; and (3) between Macon, Ga., and Jacksonville, Fla., (a) over U.S. Highway 23, and (b) from Macon over Intrastate Highway 75 to junction Interstate Highway 10, thence over Interstate Highway 10 to Jacksonville, and return over the same routes, serving no intermediate points. Restrictions: The service sought in (1) and (2) above is subject to the following: (a) Said operations shall be restricted to the transportation of traffic moving from, to or through Monroe, N.C., or points located on carrier's regular routes between High Point, N.C., and Atlanta, Ga., as described in section (I)(C) of certificate MC 109533 issued December 17, 1968. (b) The regular route authority sought in (1) and (2) hereinabove shall not be severable by sale or otherwise, from the authority otherwise contained in section (I)(C) of certificate MC 109533 issued December 17, 1968. The service sought in (1), (2), and (3) above is restricted

against the transportation of traffic (a) originating or interlined at Savannah, Ga., and its commercial zone, destined to or interlined at Jacksonville, Fla., and its commercial zone; and (b) originating at or interlined at Jacksonville, Fla., and its commercial zone, destined to or interlined at Savannah, Ga., and its commercial zone. **NOTE:** The purpose of this republication is to redescribe and broaden the scope of the authority sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Macon or Atlanta, Ga.

No. MC 109553 (Sub-No. 41), filed July 6, 1969. Applicant: **OVERNITE TRANSPORTATION COMPANY**, a corporation, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: C. H. Swanson, Post Office Box 1216, Richmond, Va. 23209. 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, (1) between Norton and Coeburn, Va., from Norton over U.S. Highway 23 to Pound, Va., thence over Virginia Highway 83 to junction Virginia Highway 72, thence over Virginia Highway 72 to Coeburn, returning over the same route, serving all intermediate points, serving Clintwood and North Fork Dam, Va., as off-route points, (2) between Mount Rush and Lexington, Va., over U.S. Highway 60, serving Buena Vista, Va., as an intermediate point, (3) between Farmville and Keysville, Va., over U.S. Highway 15, serving all intermediate points, and (4) between Danville, Va., and junction U.S. Highway 360 and Virginia Highway 304, from Danville over U.S. Highway 58 to junction Virginia Highway 304, thence over Virginia Highway 304 to junction U.S. Highway 360, returning over the same route, serving South Boston, Va., as an intermediate point. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Bristol, Va.-Tenn., Roanoke, or Richmond, Va.

No. MC 110264 (Sub-No. 41), filed July 31, 1969. Applicant: **ALBUQUERQUE PHOENIX EXPRESS, INC.**, 4500 McLeod Road NE, Albuquerque, N. Mex. 87110. Applicant's representatives: Paul F. Sullivan, 701 Washington Building, Washington, D.C. 20005, and Duncan A. McLeod, Post Office Box 3459, Albuquerque, N. Mex. 87110. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, those of unusual value, household goods as defined by the Commission, and those requiring special equipment) (1) between Albuquerque, N. Mex., and Phoenix, Ariz.: From Albuquerque over U.S. Highway 66 (Interstate Highway 40) to Flagstaff, Ariz., thence over Arizona Highway 79 (Interstate Highway 17) to Phoenix, and return over the same route, serving all intermediate and off-route points; also from Flagstaff, Ariz., over U.S. Highway 66 (Interstate Highway 40) to Ash Fork,

Ariz., thence over U.S. Highway 89 to Prescott, Ariz., thence over Arizona Highway 69 to its junction with Arizona Highway 79 (Interstate Highway 17), thence over Arizona Highway 79 (Interstate Highway 17) to Phoenix, Ariz., and return over the same route, serving all intermediate and off-route points; (2) between Gallup, N. Mex., and Quemado, N. Mex.: Joining Route No. (1) above to Quemado, N. Mex., from Gallup, N. Mex., over New Mexico Highway 32 to junction of U.S. Highway 60 just west of Quemado, N. Mex., and return over the same route, serving all intermediate and off-route points; (3) between Fence Lake, N. Mex., and Quemado, N. Mex.; from Fence Lake, N. Mex. (located on New Mexico Highway 32), over New Mexico Highway 36 to junction New Mexico Highway 117, thence over New Mexico Highway 117 to Quemado, N. Mex., and return over the same route, serving all intermediate and off-route points; and (4) between Milan, N. Mex., and Ambrosia Lake, N. Mex.: From Milan, N. Mex., over New Mexico Highway 53 to junction New Mexico Highway 509, thence over New Mexico Highway 509 to Ambrosia Lake, N. Mex., and return over the same route, serving all intermediate and off-route points, including San Mateo, N. Mex. **NOTE:** Applicant states that it is presently authorized to operate between Albuquerque and Phoenix over a service route and an alternate route. The proposed operations involve, in part, service to intermediate and off-route points on applicant's existing alternate route. Applicant further states no duplicating authority being sought. If a hearing is deemed necessary, applicant requests it be held at Albuquerque, Gallup, or Grants, N. Mex., or Flagstaff, Ariz.

No. MC 110585 (Sub-No. 15), filed July 23, 1969. Applicant: **REPUBLIC VAN AND STORAGE CO., INC.**, 9219 Harford Road, Baltimore, Md. 21234. Applicant's representative: John C. Bradley, 618 Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in the United States. **NOTE:** Common control may be involved. Duplicating authority to be eliminated. Applicant states that if the application is granted in full, it will tender for cancellation all of its existing authority. Applicant further states that the operating rights sought are nonradial and nationwide. Therefore, they blanket existing authorities of applicant and tacking is not a factor. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111170 (Sub-No. 131), filed July 31, 1969. Applicant: **WHEELING PIPE LINE, INC.**, Post Office Box 1718, El Dorado, Ark. 71730. Applicant's representative: Thomas Harper, Post Office Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Memphis, Tenn., and West Memphis, Ark., to points in Alabama,

Arkansas, Florida, Georgia, Illinois, Iowa, Kentucky, Louisiana, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 111170 (Sub-No. 132), filed July 31, 1969. Applicant: **WHEELING PIPE LINE, INC.**, Post Office Box 1718, El Dorado, Ark. 71730. Applicant's representative: Thomas Harper, Post Office Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Jet fuel*, in bulk, from Jenks, Okla., to points in Union County, Ark., and (2) *sulfuric acid*, in bulk, from North Little Rock, Ark., to points in Louisiana and Texas. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 111594 (Sub-No. 44), filed July 23, 1969. Applicant: **C W TRANSPORT, INC.**, 610 High Street, Wisconsin Rapids, Wis. 54494. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Groos, Mich., to points in Minnesota and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113651 (Sub-No. 128), filed July 23, 1969. Applicant: **INDIANA REFRIGERATED LINES, INC.**, 2404 North Broadway, Muncie, Ind. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packing-houses* as described in sections A, B, and C of appendix I to the report of *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles); (1) from the plantsites and/or warehouse facilities of John Morrell & Co., located at or near Ottumwa and Esterville, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and the District of Columbia; and (2) from the plantsite and/or warehouse facilities of John Morrell & Co., located at or near Madison and Sioux Falls, S. Dak., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont,

Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite and/or warehouse facilities of John Morrell & Co., at or near points named above and destined to the named territory. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. No duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114106 (Sub-No. 75), filed July 28, 1969. Applicant: MAYBELLE TRANSPORT COMPANY, a corporation, Post Office Box 573, Lexington, N.C. 27292. Applicant's representative: William P. Sullivan, 1819 H Street, NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Potato starch*, dry, in bulk, from Greer, S.C., to points in North Carolina. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant holds contract carrier authority under MC 115176 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114273 (Sub-No. 45), filed July 22, 1969. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prokuski (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, packinghouse products*, as defined in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Postville, Iowa, to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 115331 (Sub-No. 272), filed July 23, 1969. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Applicant's representatives: J. R. Ferris (same address as applicant), and Thomas F. Kilroy, 405-S Crystal Plaza, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients and materials*, in bulk, from Little Rock and North Little Rock, Ark., to points in Arkansas, Missouri, Mississippi, and Tennessee. NOTE: Applicant states it sees no feasible tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.; Chicago, Ill., or Washington, D.C.

No. MC 115840 (Sub-No. 40), filed July 11, 1969. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 West Bankhead Highway, Post Office Box 2169,

Birmingham, Ala. 35201. Applicant's representatives: C. E. Wesley (same address as above), also E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, between points in Davidson County, Tenn., on the one hand, and, on the other, points in Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Texas, Arkansas, Louisiana, Alabama, and Tennessee. NOTE: Applicant states that it intends to tack with its lead certificate MC 115840 at Birmingham, Ala., whereas it is authorized to serve points in Florida, Georgia, Tennessee, Mississippi, and Louisiana. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 115955 (Sub-No. 15), filed July 17, 1969. Applicant: SCARI'S DELIVERY SERVICE, INC., Post Office Box 2627, Wilmington, Del. 19901. Applicant's representative: Albert F. Beitel, American Security Building, Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* having a prior or subsequent movement by air, between points in Wilcomico County, Md., on the one hand, and, on the other, the Philadelphia International Airport, Philadelphia, Pa., and the Greater Wilmington Airport, Wilmington, Del. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 117344 (Sub-No. 194), filed July 22, 1969. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stiver, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Huntington, Ind., to Cincinnati, Ohio. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117416 (Sub-No. 33), filed July 23, 1969. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn. 37921. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sodium hydroxide*, in containers, in mixed loads with laundry bleach, from Atlanta, Ga., to Evansville, Ind.; Williamson, W. Va.; Bristol, Va.; and points in Kentucky and Tennessee. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117815 (Sub-No. 150), filed July 24, 1969. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. 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 and except hides), from Postville, Iowa, to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 117823 (Sub-No. 39), filed July 31, 1969. Applicant: DUNKLEY REFRIGERATED TRANSPORT, INC., 240 West California Avenue, Salt Lake City, Utah 84115. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods and foodstuffs* requiring temperature control when transported in same vehicle and at same time with frozen foods, from Salt Lake City, Utah, to points in Arizona. NOTE: Applicant states tacking could be accomplished with other authorities presently held by applicant. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 118831 (Sub-No. 65), filed July 28, 1969. Applicant: CENTRAL TRANSPORT, INCORPORATED, Uwharrie Road, Post Office Box 5044, High Point, N.C. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Charlotte, N.C., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states there is a possibility of joinder in Charlotte, N.C., to serve points in South Carolina and possibly other States. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C., or Atlanta, Ga.

No. MC 119531 (Sub-No. 120), filed July 24, 1969. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Containers and components thereof*, manufactured of metal, paper, plastic, or metal, paper, and plastic combined; and *materials, equipment, and supplies* used in the sale and distribution of said containers, from points in Cook and Kane

Counties, Ill.; Hoopston, Ill.; Austin and Indianapolis, Ind.; Detroit, Mich.; St. Louis, Mo.; Delaware, Ohio; and Milwaukee, Wis.; to points in Illinois, Indiana, Kansas, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin. NOTE: Applicant states tacking possibilities with its Sub-28, at Massillon, Ohio, to serve points in New York and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 124078 (Sub-No. 400), filed July 31, 1969. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis. 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 calcium chloride*, in bulk, from Ludington, Mich., to points in Illinois and Indiana. NOTE: Applicant states it will tack the sought authority with authority presently held in MC 124078, Sub 131 at East Dubuque, Ill., to serve points in Iowa, Minnesota, North Dakota, and Nebraska. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 125409 (Sub-No. 5), filed August 4, 1969. Applicant: R & R TRUCKING CO., INC., R.F.D. 5, Waterford Road, Blue Anchor, Hammonton, N.J. Applicant's representative: Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal cabinets and vanities* from Brooklyn, N.Y., to points in Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia under a continuing contract with Palace Metal Products, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 125422 (Sub-No. 5), filed July 28, 1969. Applicant: BI-STATE EXPRESS, INC., Old Fairfield Road, Mount Veron, Ill. 62864. Applicant's representatives: G. M. Rebman, 314 North Broadway, St. Louis, Mo. 63102, and Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. 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 St. Louis, Mo., and the junction of U.S. Highway 50 and Illinois Highway 130, except Belleville, Ill., in connection with applicant's regular routes as set out in MC 125422, serving all points on U.S. Highway 50 without restriction. NOTE: This application is accompanied with a motion to dismiss. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 126154 (Sub-No. 6), filed July 28, 1969. Applicant: DOMENIC

MARCHI, 508 North Stephenson Avenue, Iron Mountain, Mich. 49801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, namely beer and ale, from South Bend, Ind., to points in Ishpeming, Marquette County, Mich.; and (2) from Chicago, Ill., to points in Ishpeming, Marquette County, Mich., and to Iron Mountain, Dickinson County, Mich. NOTE: Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 126198 (Sub-No. 7), filed July 31, 1969. Applicant: EARL MICHAUD, 133 Birch Street, Kingsford, Mich. 49801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbonated beverages*, namely soda water, pop, and soft drinks; and *malt beverages*, namely beer and ale, (1) from Milwaukee, Wis., to Munising, Alger County, Mich., and (2) from Fort Wayne, Ind., to Bessemer, Gogebic County, Mich., and Houghton, Houghton County, Mich. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 126537 (Sub-No. 22), filed July 17, 1969. Applicant: KENT I. TURNER, KENNETH E. TURNER, AND ERVIN L. TURNER, doing business as TURNER EXPEDITING SERVICE, Post Office Box 21333, Standiford Field, Louisville, Ky. 40221. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, defined by the Commission, commodities in bulk, and those requiring special equipment), between Standiford Field, Louisville, Ky., and points in Barren and Warren Counties, Ky., on the one hand, and, on the other, Berry Field, Nashville, Tenn., restricted to traffic having a prior or subsequent movement by air. NOTE: Applicant states that it intends to tack with its existing authority in MC 126537 and subs where feasible. Applicant has contract carrier authority in MC 129652, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 128293 (Sub-No. 1) (Amendment), filed June 2, 1969, published in the FEDERAL REGISTER issue of July 17, 1969, and republished as amended this issue. Applicant: ACTRON CORPORATION, 52 Northern Avenue, Boston, Mass. 02110. Applicant's representative: Neal Holland, 225 Franklin Street, Boston, Mass. 02110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, toys, and games*, between Bos-

ton, Mass., on the one hand, and, on the other, all points in Massachusetts. NOTE: Applicant states it could tack at Boston, Mass., and the territory that would be served through such joinder would be from points in Massachusetts to points in Maine, Rhode Island, Connecticut and points in New Hampshire on and south of U.S. Highway 4 (including Portsmouth, N.H.), and, on and east of U.S. Highway 3, as described under the caption "New Furniture" in certificate No. MC 128293 dated May 7, 1969. The purpose of this republication is to reflect the tacking information, as amended. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 129307 (Sub-No. 20), filed July 29, 1969. Applicant: McKEE LINES, INC., 664 54th Avenue, Mattawan, Mich. 49071. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, plantains, pineapples and coconuts, and agricultural commodities* otherwise exempt from economic regulations under section 203(b)(6) of the Act, when transported in mixed shipment with bananas, plantains, pineapples and coconuts, from Wilmington, Del., to points in Indiana, Illinois, Iowa, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin. NOTE: Applicant is also authorized to operate as a contract carrier under MC 119394, therefore dual operations may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129592 (Sub-No. 4), filed July 28, 1969. Applicant: JOHN HERBERT CARMAN, doing business as CARBOY'S TRUCKING COMPANY, 93 Loretta Street, New Brunswick, N.J. 08902. Applicant's representative: George A. Olsen, 69 Tonnel Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile parts, accessories, and equipment, and materials, equipment, and supplies*, used in the repair and maintenance of automobiles (except commodities in bulk), from South Plainfield, N.J., and from the plantsite and facilities of United Engines Rebuilders, Inc., at New Brunswick, N.J., to Columbia, Greene, Nassau, and Suffolk Counties, N.Y., and returned shipments of the commodities specified herein, on return. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 129645 (Sub-No. 10), filed July 14, 1969. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, a partnership, doing business as SMEESTER BROTHERS, TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. 49801. Applicant's representative: Louis J. Amato, Post

Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards, building, wall, and/or insulating, composition boards, roofing and/or insulating materials, and materials and accessories* used in the installation thereof, from Dubuque, Iowa, to points in Michigan. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant has contract carrier authority under MC 127093 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Nashville, Tenn.

No. MC 129645 (Sub-No. 11), filed July 14, 1969. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, a partnership, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. 49801. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and insulation board; composition board; roofing and roofing materials; urethane and urethane products; and materials and accessories* used in the installation thereof, from Lagro, Ind., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Tennessee, Wisconsin, and Wyoming. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant has contract carrier authority under MC 127093 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Nashville, Tenn.

No. MC 129863 (Sub-No. 5), filed July 28, 1969. Applicant: FREDERICK L. BULTMAN, INC., 3140 West Fond Du Lac Avenue, Milwaukee, Wis. 53210. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpet cushions, and unfinished carpet, and industrial textile products*, between the plants and warehouse facilities of the Ozite Corp. at Milwaukee, Wis., and the plant and warehouse facilities of the Ozite Corp. at Libertyville, Ill., under contract with Ozite Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 133154 (Sub-No. 2) (Amendment), filed April 25, 1969, published FEDERAL REGISTER, issue of May 15, 1969, and republished as amended this issue. Applicant: DICK BELL TRUCKING, INC., 16036 Valley Boulevard, Fontana, Calif. 92335. Applicant's representative: Fred D. Preston, 5820 Wilshire Boulevard, Suite 605, Los Angeles, Calif. 90036. Authority sought to operate as a *contract*

carrier, by motor vehicle, over irregular routes, transporting: (1) *Fiber and metal drums*, from Santa Ana, Calif., to Las Cruces, N. Mex., (2) *mineral wool insulation including batts, batting, blankets, fill, reinforced or not reinforced*, from Fontana, Calif., to points in Arizona and Nevada, (3) *expanded plastic articles*, from Napa, Calif., to points in Arizona and Nevada; under contract with American Flotations Corp., Napa, Calif.; mineral wool insulation, Fontana, Calif., and (4) *Mineral wool insulation*, from Torrance, Calif., to points in Arizona and Nevada, under contract with the United States Gypsum Co. NOTE: The purpose of this republication is to add (4) above. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133243 (Sub-No. 2), filed July 22, 1969. Applicant: GOSSELIN EXPRESS LTD., 141 Smith Boulevard, Thetford Mines, Quebec, Canada. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Snowmobiles* (1) from ports of entry on the international boundary line between the United States and Canada located in New York and Michigan, to points in Wisconsin and Pennsylvania, under contract with Sno-Jet, Inc., of Thetford Mines, Quebec, Canada, and (2) from ports of entry on the international boundary line between the United States and Canada, located in New York and Michigan, to points in New York, Michigan, Minnesota, Wisconsin, Pennsylvania, and Maine, under continuing contract with Lionel Enterprises, Inc., of Princeville, Quebec, Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany or Plattsburgh, N.Y.

No. MC 133333 (Sub-No. 1), filed July 18, 1969. Applicant: JACK A. HART, doing business as PARTS LOCATOR SERVICE, 5501 Northwest Walnut Street, Vancouver, Wash. 98663. Applicant's representative: Jack A. Hart (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobile and truck parts*, between points in Washington and Oregon. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 133340 (Sub-No. 2), filed July 27, 1969. Applicant: CLITES GRAIN, INC., 110 Surrey Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Keith Clites (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tankage and meat scraps*, in bulk, in dump vehicles, from Omaha, Nebr., to Creston, Red Oak, Malvern, Bedford, Shenandoah, Corning, Indianola, Knoxville, Oska-loosa, Ottumwa, Grinnell, Newton, Altoona, Marshalltown, State Center, Ames, Boone, Cherokee, Sioux City, Le Mars, Sheldon, Ida Grove, Storm Lake, Coon Rapids, Harlan, Atlantic, Oakland,

and Council Bluffs, Iowa, and Lennox, Sioux Falls, and Yankton, S. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 133603 (Sub-No. 1), filed July 23, 1969. Applicant: AMERICAN MOVING & STORAGE CO., a corporation, 721 East 12th Street, Tucson, Ariz. 85719. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Arizona, restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such shipments. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix or Tucson, Ariz.

No. MC 133655 (Sub-No. 6), filed June 13, 1969. Applicant: TRANS-NATIONAL TRUCK, INC., 813 Oakwood Drive, Euless, Tex. 76039. Applicant's representative: Charles W. Singer 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged and cartoned new furniture, mirrors, and furniture parts*, from Toccoa, Ga., and Selma, Ala., to points in Texas, Oklahoma, Oregon, Washington, Nevada, Utah, Arizona, Montana, Idaho, Kansas, Colorado, New Mexico, and California. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 13371 (Sub-No. 1), filed July 24, 1969. Applicant: LEO M. WELTER, doing business as WORLD WIDE MOVING & STORAGE, 1131 Industrial Avenue, Oxnard, Calif. 93030. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, (1) between points in the Los Angeles Harbor commercial zone, as defined by Commission, on the one hand, and, on the other, points in Santa Barbara and Ventura Counties, Calif., (2) between Oxnard and Port Hueneme, Calif., on the one hand, and, on the other, points in Los Angeles County, Calif., and (3) between points in Santa Barbara and Ventura Counties, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133712 (Sub-No. 1), filed July 28, 1969. Applicant: DONALD N. CONLEE AND DOUGLAS M. CONLEE, a partnership, doing business as CONLEE BROTHERS MOVING & STORAGE, 600 South Bryan, Drawer 473, Bryan, Tex. 77801. Applicant's representative: Ralph W. Pulley, Jr., 4555 First

National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Brazos, Grimes, Madison, Walker, Milam, Washington, Burleson, Robertson, and Lee Counties, Tex., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. NOTE: If a hearing is deemed necessary, applicant requests it held at Dallas, or Houston, Tex.

No. MC 133803 (Correction), filed June 6, 1969, published in the FEDERAL REGISTER issue of June 26, 1969, corrected and republished in part, as corrected, this issue. Applicant: B & W DISTRIBUTORS CORP., 11 Franklin Avenue, Rye, N.Y. 10580. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. NOTE: The purpose of this partial republication is to reflect the correct name of applicant as shown above, in lieu of B & W Distributing Corp., which was inadvertently shown in previous publication. The rest of the application remains the same.

No. MC 133872, filed July 3, 1969. Applicant: PRODUCERS INTERSTATE COOPERATIVE, doing business as P. I. C., Post Office Box 215, Weatherford, Tex. 76086. Applicant's representatives: Lester M. Bridgeman and Nancy Pyeatt, 1000 Woodward Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, including classes A and B explosives (excluding commodities in bulk, household goods as defined by the Commission, and those requiring special equipment) when moving (1) on Government bills of lading, and (2) on commercial bills of lading containing endorsements approved in interpretation of Government Rate Tariff Eastern Central, 322 ICC 161, 164, and 165, between points in Alabama, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and Wisconsin, on the one hand, and, on the other, points in Arizona, California, Colorado, New Mexico, Nevada, Oregon, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Fort Worth, Tex.

No. MC 133905, filed July 17, 1969. Applicant: WITS, INC., Box 3805, 2324 Second Avenue, Seattle, Wash. 98134. Applicant's representative: Henry M. Sullivan, Box 3805, Seattle, Wash. 98134. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, loose or in containers, between points in King, Pierce, and Snohomish Counties, Wash., restricted to traffic having an immediate prior or subsequent movement by air. NOTE: Applicant states

it doesn't intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 133910 (Sub-No. 1), filed August 5, 1969. Applicant: GILMORE MOVING & STORAGE, INC., 900 New Warrington Road, Pensacola, Fla. 32506. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Escambia, Walton, Santa Rosa, and Okaloosa Counties, Fla., restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Pensacola, Fla.

No. MC 133915, filed July 22, 1969. Applicant: KINGS GRANT TRANSPORTATION CO., INC., 69 Tonnele Avenue, Jersey City, N.J. 07306. Applicant's representative: George A. Olsen (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paint* (except in bulk), from Paterson, N.J., to St. Louis, Mo.; and (2) *paint pigment* (except in bulk), from East St. Louis, Mo., to Paterson, N.J., under contract with Frisch & Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 133926, filed July 22, 1969. Applicant: MICHAEL MCNERNEY, doing business as M & M TRANSFER COMPANY, 415 Pavonia, Sioux City, Iowa 51101. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard, fiberboard, pulpboard and fiberboard products, and materials* and supplies used in the manufacture and processing thereof, (1) from Sioux City, Iowa, to points in Minnesota, South Dakota, Nebraska, and Kansas; and (2) from Lincoln, Nebr., Sioux Falls, S. Dak., and St. Paul, Minn., to Sioux City, Iowa, under contract with Hoerner-Waldorf Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

MOTOR CARRIERS OF PASSENGERS

No. MC 13300 (Sub-No. 84) (Correction), filed June 23, 1969, published in FEDERAL REGISTER issue of July 31, 1969, and republished as corrected, this issue. Applicant: CAROLINA COACH COMPANY, a corporation, 1201 South Blount Street, Raleigh, N.C. 27602. Applicant's representatives: Bruce E. Mitchell and

James E. Wilson, 1735 K. Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Passengers and their baggage, express and newspapers* in the same vehicle with passengers, (1) Regular routes: (a) Between Tarboro and Aulander, N.C., from Tarboro over North Carolina Highway 44 to Oak City, N.C., and thence over North Carolina Highway 11 to junction North Carolina Highway 305, and thence over North Carolina 305 to Aulander, and return over the same route serving all intermediate points, and (b) between Scotland Neck, N.C., and junction North Carolina Highway 122 and U.S. Highway 258, from Scotland Neck over North Carolina Highway 125 to Hobgood, N.C., and thence over North Carolina Highway 122 to junction U.S. Highway 258, and return over the same route, serving all intermediate points. (2) Irregular routes: *Passengers and their baggage*, in charter operations, beginning at points named in (1) above and extending to points in the United States. NOTE: Common control may be involved. The purpose of this republication is to show in (1) (b) above from Scotland Neck over North Carolina Highway 125, in lieu of North Carolina Highway 305, as previously published. If a hearing is deemed necessary, applicant requests it be held at Raleigh or Rocky Mount, N.C.

No. MC 133784 (Amendment), filed May 26, 1969, published in the FEDERAL REGISTER issue of June 26, 1969, amended July 29, and republished as amended this issue. Applicant: T. C. AIRPORT LIMOUSINE COMPANY INCORPORATED, 2670 South M-139 and Somerlayton Road, Benton Harbor, Mich. 49022. Applicant's representative: Donald L. Bleich, 814 Port Street, St. Joseph, Mich. 49085. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their excess baggage and newspapers* for purposes other than emergency continuation of air transportation, between Ross Field Airport at Benton Harbor, Mich., and O'Hare International Airport, or Midway Field Airport in Chicago, Ill., and Bendix Field Airport in South Bend, Ind., restricted to the continuation of prior and subsequent air transportation. NOTE: The purpose of this republication is to place limitations and restrictions on the scope of authority originally sought which would considerably narrow the authority desired. If a hearing is deemed necessary, applicant did not specify location.

No. MC 133810, filed June 12, 1969. Applicant: FRED P. GRUHLER AND MARY J. MILLER, a partnership, doing business as FRED'S TAXI, 271 Warren Street, Phillipsburg, N.J. 08865. Applicant's representative: Robert E. Fredrick, 120 South Main Street, Phillipsburg, N.J. 08865. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, beginning and ending at

NOTICES

Allentown, Bethlehem, and Easton, Pa., and Phillipsburg, N.J., and, extending to Allentown-Bethlehem-Easton Airport, and Philadelphia, Pa., and the Philadelphia Airport, Philadelphia, Pa., Newark Airport, Newark, N.J., New York City, N.Y., John F. Kennedy International Airport and La Guardia Airport, New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Easton, Pa., or Phillipsburg, N.J.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 113908 (Sub-No. 200), filed July 16, 1969. Applicant: ERICKSON TRANSPORT CORPORATION, Box 3180 Glenstone Station, 2105 East Dale Street, Springfield, Mo. 65804. Applicant's representative: Le Roy Smith (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage base*, in bulk, in tank vehicles, from Cicero, Ill., to Denver, Colo. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted.

No. MC 124078 (Sub-No. 399), filed July 28, 1969. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevetie (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid*

fertilizer and fertilizer materials, in bulk, from the plantsites of Occidental Chemical Co. at Kenton and Mount Victory, Ohio, to points in Indiana. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Common control may be involved.

No. MC 124328 (Sub-No. 37), filed July 30, 1969. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill. 60616. Applicant's representative: F. D. Partlan, 234 East 24th Street, Chicago, Ill. 60616. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silver granules*, from Herculaneum, Mo., to points in South Amboy, N.J., under contract with St. Joseph Lead Co. of New York, N.Y. NOTE: Common control may be involved.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-9854; Filed, Aug. 20, 1969;
8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 18, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15

days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41721—*Soda Ash from Saltville, Va.* Filed by O. W. South, Jr., agent (No. A6123), for interested rail carriers. Rates on soda ash, in bulk in covered hopper cars, in carloads, as described in the application, from Saltville, Va., to Birmingham, Bessemer, and Tuscaloosa, Ala., also Meridian, Miss.

Grounds for relief—Market competition.

Tariff—Supplement 150 to Southern Freight Association, agent, tariff ICC S-517.

FSA No. 41722—*Fish Meal from Points in Canada to Points in Southwestern Territory.* Filed by Southwestern Freight Bureau, agent (No. B-71), for interested rail carriers. Rates on fish meal, in carloads, from Laval Rapides, St. Martin (Laval Co.), and St. Martin Jct., Quebec, Canada, to points in southwestern territory.

Grounds for relief—Market competition.

Tariff—Supplement 12 to Canadian Freight Association, agent, tariff ICC 291.

By the Commission.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-9957; Filed, Aug. 20, 1969;
8:50 a.m.]

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10	12785
32	12704, 12786, 12830-12832, 13032, 13107, 13108, 13155, 13369-13371, 13416, 13417, 13470-13477
33	12787
215	13371

PROPOSED RULES:

13	13373
32	12705
33	12705

