Pages 147–172

FEDERAL REGISTER

VOLUME 28 NUMBER 4

Washington, Saturday, January 5, 1963

Contents

(Continued on next page)

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

7 CFR

812 149
905 (4 documents) 149–151
907 151
910 151
912 152
944 152
982 153

13 CFR

121 153

14 CFR

71 [New] 153
507 154

19 CFR

9 155

21 CFR

PROPOSED RULES:
120 159
121 159

36 CFR

213 155

43 CFR

PUBLIC LAND ORDERS:
2783 (correction) 156

46 CFR

171 156

49 CFR

91 157

50 CFR

33 157

FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

PART 812—SUGAR REQUIREMENTS AND QUOTAS: HAWAII AND PUERTO RICO

On pages 12375 and 12376 of the FEDERAL REGISTER of December 13, 1962, there was published a notice of proposed rule making to issue a regulation determining sugar requirements for 1963 and establishing quotas for Hawaii and Puerto Rico for the calendar year 1963. Interested persons were given until December 20, 1962, in which to submit written data, views or arguments for consideration in connection with the proposed regulation.

All data, views and comments received relative to the proposed regulation were thoroughly considered.

The proposed regulation is hereby adopted without change.

Issued at Washington, D.C., this 31st day of December 1962.

JOHN P. DUNCAN, Jr.,
Acting Secretary.

Sec.
812.1 Sugar requirements and quota—Hawaii.
812.2 Sugar requirements and quota—Puerto Rico.
812.3 Restrictions on marketing.

AUTHORITY: §§ 812.1 to 812.3 issued under sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interpret or apply secs. 201, 203, 209, 210, 412; 61 Stat. 923, as amended, 925, 928; 7 U.S.C. 1111, 1112, 1119, 1120.

§ 812.1 Sugar requirements and quota—Hawaii.

It is hereby determined, pursuant to section 203 of the Act, that the amount of sugar needed to meet the requirements of consumers in Hawaii for the calendar year 1963 is 50,000 short tons, raw value, and a quota of 50,000 short tons, raw value, is hereby established for Hawaii for local consumption for the calendar year 1963.

§ 812.2 Sugar requirements and quota—Puerto Rico.

It is hereby determined, pursuant to section 203 of the Act, that the amount of sugar needed to meet the requirements of consumers in Puerto Rico for the calendar year 1963 is 130,000 short tons, raw value, and a quota of 130,000 short tons, raw value, is hereby established for Puerto Rico for local consumption for the calendar year 1963.

§ 812.3 Restrictions on marketing.

Pursuant to section 209 of the Act, for the calendar year 1963 all persons are hereby prohibited from marketing, pursuant to Part 816 of this chapter (23 F.R. 1943), in Hawaii or in Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota for the area for the calendar year 1963 has been filled. Pursuant to section 211(c) of the Act, the quota for each area may be filled only with sugar produced from sugarcane grown in the respective area.

[F.R. Doc. 63-100; Filed, Jan. 4, 1963; 10:15 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 21]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.358 Orange Regulation 21.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida 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 of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple 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 thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) 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; 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. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 2, 1963, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions, and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

(2) Orange Regulation 20 (§ 905.354; 28 F.R. 20) is hereby terminated at 12:01 a.m., e.s.t., January 4, 1963.

(3) During the period beginning at 12:01 a.m., e.s.t., January 4, 1963, and ending at 12:01 a.m., e.s.t., January 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, including Temple oranges, grown in the production area, which do not grade at least U.S. No. 2 Russet; or

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2\frac{4}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos: *Provided,* That in determining the percentage of oranges in any lot which are smaller than $2\frac{4}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{1}{16}$ inches in diameter or smaller.

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

Dated: January 3, 1963.

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

[F.R. Doc. 63-121; Filed, Jan. 4, 1963; 8:47 a.m.]

[Grapefruit Reg. 21]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.359 Grapefruit Regulation 21.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905 as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, 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 of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, 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 thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) 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; 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. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 2, 1963, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750–51.783 of this title).

(2) Grapefruit Regulation 20 (§ 905.355; 28 F.R. 21) is hereby terminated at 12:01 a.m., e.s.t., January 4, 1963.

(3) During the period beginning at 12:01 a.m., e.s.t., January 4, 1963, and ending at 12:01 a.m., e.s.t., January 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than $3\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit; or

(iii) Any seedless grapefruit, grown in the production area, which are smaller than $3\frac{7}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

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

Dated: January 3, 1963.

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

[F.R. Doc. 63–120; Filed, Jan. 4, 1963; 8:47 a.m.]

[Tangelo Reg. 9]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.361 Tangelo Regulation 9.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, 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 of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, 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 thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) 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; 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. Shipments of tangelos, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 2, 1963, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangelos, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

(2) Tangelo Regulation 8 (§ 905.357; 28 F.R. 22) is hereby terminated at 12:01 a.m., e.s.t., January 4, 1963.

(3) During the period beginning at 12:01 a.m., e.s.t., January 4, 1963, and ending at 12:01 a.m., e.s.t., January 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 2 Russet.

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

Dated: January 3, 1963.

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

[F.R. Doc. 63–122; Filed, Jan. 4, 1963; 8:47 a.m.]

[Tangerine Reg. 9]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.360 Tangerine Regulation 9.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, 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 of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, 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 thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) 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; 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. Shipments of tangerines, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 2, 1963, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810–51.1834 of this title).

(2) Tangerine Regulation 8 (§ 905.356; 28 F.R. 21) is hereby terminated at 12:01 a.m., e.s.t., January 4, 1963.

(3) During the period beginning at 12:01 a.m., e.s.t., January 4, 1963, and ending at 12:01 a.m., e.s.t., January 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangerines, grown in the production area, that do not grade at least U.S. No. 2 Russet.

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

Dated: January 3, 1963.

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

[F.R. Doc. 63–123; Filed, Jan. 4, 1963; 8:47 a.m.]

[Navel Orange Reg. 21]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.321 Navel Orange Regulation 21.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907; 27 F.R. 10087), regulating the handling of navel 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 Navel 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 navel 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. 1001–1011) 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 navel 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 navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 3, 1963.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., January 6, 1963, and ending at 12:01 a.m., P.s.t., January 13, 1963, are hereby fixed as follows:

(i) District 1: 600,000 cartons;
(ii) District 2: 177,740 cartons;
(iii) District 3: 50,000 cartons;
(iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," 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: January 4, 1963.

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

[F.R. Doc. 63–177; Filed, Jan. 4, 1963; 11:27 a.m.]

[Lemon Reg. 44]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.344 Lemon Regulation 44.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice,

engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) 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 lemons 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 lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 2, 1963.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., January 6, 1963, and ending at 12:01 a.m., P.s.t., January 13, 1963, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 162,750 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: January 4, 1963.

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

[F.R. Doc. 63–176; Filed, Jan. 4, 1963; 11:27 a.m.]

[Grapefruit Reg. 11]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Limitation of Handling

§ 912.311 Grapefruit Regulation 11.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912; 27 F.R. 87; 28 F.R. 23), regulating the handling of grapefruit grown in the Indian River District in Florida, 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 Indian River Grapefruit 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 grapefruit, 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. 1001–1011) 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 Indian River grapefruit, 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 Indian River grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 3, 1963.

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period beginning at 12:01 a.m., e.s.t., January 7, 1963, and ending at 12:01 a.m. e.s.t., January 14, 1963, is hereby fixed at 225,000 standard packed boxes.

(2) As used in this section, "handled," "Indian River District," "grapefruit," and "standard packed box" 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: January 4, 1963.

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

[F.R. Doc. 63–179; Filed, Jan. 4, 1963; 11:47 a.m.]

[Grapefruit Reg. 5, Amdt. 3]

PART 944—FRUITS; IMPORT REGULATIONS

Grapefruit

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), the provisions of paragraph (a) of Grapefruit Regulation 5 (§ 944.101; 27 F.R. 9771, 10091; 28 F.R. 24) are hereby amended to read as follows:

(a) On and after 12:01 a.m., e.s.t., January 4, 1963, the importation of any grapefruit is prohibited unless such grapefruit are inspected and meet the following applicable requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than $3\frac{13}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit; and

(2) Seedless grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than $3\frac{7}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 1001–1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674; 75 Stat. 305), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions made applicable to the shipment of all grapefruit grown in Florida under Grapefruit Regulation 21 (§ 905.359) effective January 4, 1963; (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on the importation of grapefruit.

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

Dated January 3, 1963, to become effective at 12:01 a.m., e.s.t., January 4, 1963.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63-119; Filed, Jan. 4, 1963; 8:47 a.m.]

PART 982—HANDLING OF FILBERTS GROWN IN OREGON AND WASHINGTON

Size of Operating Reserve Fund; and Expenses of Filbert Control Board, and Rate of Assessment for 1962–63 Fiscal Year

Notice was published in the FEDERAL REGISTER on December 13, 1962 (27 F.R. 12375), that there was under consideration a proposal regarding expenses of the Filbert Control Board, and rate of assessment for the fiscal year which began August 1, 1962, and the size of the operating reserve fund. The proposal was based on the recommendation of the Filbert Control Board and other available information pursuant to the amended marketing agreement and order (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington, effective under the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

The notice afforded interested persons opportunity to file written data, views, or arguments pertaining thereto with the Department for consideration prior to final action on the proposal. The prescribed time has expired and no such communication has been received.

After consideration of all relevant matters presented, including those in the notice, it is hereby found that increasing the operating reserve fund to the amount permitted by the order as authorized in § 982.300 is desirable and that expenses of the Filbert Control Board in the amount of $24,245 and an assessment rate of 0.20 cent per pound of merchantable filberts will effectuate the declared policy of the act.

Therefore, the expenses of the Filbert Control Board and the rate of assessment for the 1962–63 fiscal year, and the size of the operating reserve are established as follows:

§ 982.300 Operating reserve.

The establishment and maintenance of an operating reserve in the maximum amount permitted pursuant to § 982.62 (a) is hereby approved. The Board is authorized to place in the operating reserve for the purpose of meeting reserve requirements any assessment funds remaining at the end of a fiscal year which are in excess of the total expenses of the Board for such fiscal year but only to the extent that excess funds so placed in the reserve when added to the funds then in the reserve do not exceed the maximum amount permitted pursuant to § 982.62(a).

§ 982.307 Expenses of the Filbert Control Board and rate of assessment for the 1962–63 fiscal year.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Filbert Control Board during the fiscal year beginning August 1, 1962, in accordance with § 982.60, will amount to $24,245; and the Board is authorized to incur such expenses.

(b) *Rate of assessment.* The rate of assessment for said fiscal year, payable by each handler in accordance with § 982.61, is fixed at 0.20 cent per pound of filberts.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that: (1) the relevant provisions of said amended marketing agreement and this part require that the assessment rate fixed for a particular fiscal year shall be applicable to all assessable filberts from the beginning of such year; and (2) the current fiscal year began on August 1, 1962, and the assessment rate herein fixed will automatically apply to all assessable filberts beginning with such date.

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

Dated: December 31, 1962.

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

[F.R. Doc. 63-93; Filed, Jan. 4, 1963; 8:46 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 3; Amdt. 3]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Business Grain Warehouses for SBA Business Loans

On November 1, 1962, there was published in the FEDERAL REGISTER (27 F.R. 10657) a notice that the Administrator of the Small Business Administration proposed to establish a definition of small business grain warehouses for the purpose of receiving SBA business loans.

Under the proposed amendment, any concern primarily engaged in the storage of grain will be considered as a small business if, together with its affiliates, its combined storage capacity does not exceed one million bushels in owned and leased facilities.

Additional study of the grain storage industry revealed that as an additional safeguard against the benefits of SBA financial assistance being channelled to other than small firms, it would be necessary to include, in addition to a bushel capacity standard, an annual receipts standard. Accordingly, the correlation between bushel capacity and annual receipts was examined and a $1 million annual receipts limit is now added to the amendment.

Interested persons were given an opportunity to present their comments or suggestions pertaining thereto to the Office of Small Business Size Standards.

After consideration of all such relevant matters and since no objections to the proposed amendment were submitted by the public regarding the proposed size standard for grain warehouses, the amendment set forth below is hereby adopted.

The Small Business Size Standards Regulation (Revision 3) (27 F.R. 9757), as amended (27 F.R. 11313, 12438) is hereby further amended by:

1. Deleting from paragraph 121.3–10 (f) the title "Transportation" and substituting in lieu thereof the title "Transportation and Warehousing" and adding the term "warehousing" to the introduction.

2. Adding new subparagraph (4) to § 121.3–10(f) as follows:

§ 121.3–10 Definition of small business for SBA business loans.

* * * * *

(f) *Transportation and Warehousing.* Any concern primarily engaged in passenger and freight transportation or warehousing is classified:

* * * * *

(4) As small if it is primarily engaged in the storage of grain, it does not have more than one million bushels capacity in owned and leased facilities, and its annual receipts do not exceed $1 million.

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

Dated: December 28, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 63-83; Filed, Jan. 4, 1963; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62-WA-107]

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

Alteration of Positive Control Area

On October 24, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 10372) stating that the Federal Aviation Agency (FAA) proposed to include the airspace from flight level 240 to and including flight level 600 which is under the jurisdiction of the Atlanta, Jacksonville and Memphis air route traffic control centers in the positive control area. In addition, it

was proposed to change the caption of the "Chicago, Ill.-Indianapolis, Ind." positive control area to "Central and Southern U.S."

The Air Transport Association of America heartily endorsed the proposal.

The Department of the Navy submitted a comment which recommended that the proposed implementation of area positive control be made contingent upon satisfactory demonstration of the system's capability to handle all type of Navy activity. In support of this recommendation, the Department of the Navy cited a message from the Commander, Naval Air Forces, Pacific Fleet which summarized recent experience in the positive control area controlled by the FAA air route traffic control center at Oakland, California. This message noted that certain deficiencies persist in the Oakland positive control area. In view of these deficiencies, the Department of the Navy recommended that implementation of area positive control as proposed in this docket be delayed.

The deficiencies cited by the Department of the Navy in the Oakland area were as follows:

A. Frequency saturation.

B. Excessive manual frequency changes present serious flight safety problems particularly for wingmen under IFR/night conditions.

C. Limitation of radar coverage along eastern border (of area positive control) is primary factor in unsuccessful Sandblower re-entry.

D. Special operating areas inadequate size.

As a result of the comments by the Department of the Navy, the Agency immediately dispatched a five-man team from Washington, D.C., to Lemoore Naval Air Station, California, which the Navy had advised as being the base with the most operational problems. The team, which included four qualified jet pilots, was instructed to make a thorough investigation of the Navy comments and also to evaluate the service being provided by the Oakland Center by flying Navy missions in both Navy and FAA jet aircraft. This team spent the week of December 10, 1962, at Lemoore. During the same week, representatives of the Office of the Chief of Naval Operations, accompanied by FAA personnel from Air Traffic Service, Washington, visited Lemoore, Alameda, Monterey and San Diego Naval Air Stations.

Both of these groups investigated the deficiencies noted in the Navy message. Navy pilots were interviewed to ascertain the exact nature of the problem and the amount of derogation area positive control is currently imposing on Navy missions. It was found that the amount of derogation was minor and that all deficiencies outlined above have been resolved with the exception of the manual frequency change problem noted in B. In the early phases of the area positive control program at Oakland, these problem areas did exist, some to a greater degree than others; however, the day to day experience of both pilots and controllers with the new system had resulted in the alleviation of these deficiencies. With regard to the manual frequency change problem experienced by wingmen, an interim solution has been reached, involving the use of a discrete military frequency. The Agency has been advised by Navy officials that this solution is acceptable on an interim basis.

In view of the findings of the FAA team and those of the joint FAA/Navy group, the Agency has concluded that the deficiencies as cited by the Department of the Navy, while they did exist to a degree in the early phases of the Oakland program, are no longer a factor.

The FAA will continue to cooperate fully prior to implementation to ensure that all user requirements are fulfilled. Pre-testing will be conducted from the present time to the implementation date. In addition, the FAA will modify the program, as necessary, after implementation to ensure adequate completion of all user missions.

It was stated in the Notice that positive control in the Memphis air route traffic control center area would be implementated approximately 30 days after that in the Atlanta and Jacksonville areas. However, unforeseen complications have delayed implementation of area positive control in the Atlanta and Jacksonville areas and it is now practicable to inaugurate area positive control within the three areas simultaneously.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the Notice, the following action is taken:

In Section 71.193 (27 F.R. 220–157, November 10, 1962) the Chicago, Ill.-Indianapolis, Ind. positive control area is amended to read as follows:

Central and Southern U.S.

That airspace within the continental control area, from flight level 240 to and including flight level 600, bounded by a line beginning at: latitude 43°40'00" N., longitude 90°00'00" W.; thence to latitude 43°40'00" N., longitude 87°36'15" W.; thence to latitude 43°19'00" N., longitude 87°41'00" W.; thence to latitude 43°15'30" N., longitude 87°14'00" W.; thence to latitude 44°20'00" N., longitude 84°50'00" W.; thence to latitude 44°00'00" N., longitude 82°13'00" W.; thence southward and eastward along the United States/Canadian Border to latitude 43°38'00" N., longitude 76°47'30" W.; thence to latitude 42°45'00" N., longitude 76°50'00" W.; thence to latitude 40°55'30" N., longitude 78°27'00" W.; thence to latitude 40°51'00" N., longitude 78°02'30" W.; thence to latitude 40°20'00" N., longitude 77°35'00" W.; thence to latitude 40°12'00" N., longitude 77°35'00" W.; thence to latitude 39°54'00" N., longitude 77°31'30" W.; thence to latitude 39°51'00" N., longitude 77°56'00" W.; thence to latitude 39°49'00" N., longitude 78°03'30" W.; thence to latitude 39°34'00" N., longitude 78°58'00" W.; thence to latitude 39°17'30" N., longitude 79°51'00" W.; thence to latitude 38°33'00" N., longitude 80°55'00" W.; thence to latitude 37°11'30" N., longitude 81°09'00" W.; thence to latitude 37°21'45" N., longitude 80°31'30" W.; thence to latitude 36°29'30" N., longitude 79°26'30" W.; thence to latitude 36°19'00" N., longitude 79°16'00" W.; thence to latitude 35°47'20" N., longitude 79°31'00" W.; thence to latitude 35°01'45" N., longitude 80°02'00" W.; thence to latitude 34°52'00" N., longitude 80°10'20" W.; thence to latitude 34°51'00" N., longitude 79°55'00" W.; thence to latitude 34°29'00" N., longitude 79°15'00" W.; thence to latitude 34°29'00" N., longitude 78°45'00" W.; thence to latitude 34°00'00" N., longitude 78°07'00" W.; thence to latitude 33°58'30" N., longitude 77°50'00" W.; thence south via a line three nautical miles from the mainland to latitude 29°00'00" N., longitude 80°48'00" W.; thence to latitude 29°00'00" N., longitude 81°34'20" W.; thence to latitude 28°57'45" N., longitude 81°37'15" W.; thence to latitude 29°02'20" N., longitude 81°41'30" W.; thence clockwise along a 5 nautical mile radius arc centered at latitude 29°06'52" N., longitude 81°42'55" W.; to latitude 29°08'25" N., longitude 81°48'20" W.; thence to latitude 29°22'00" N., longitude 82°02'20" W.; thence to latitude 29°22'00" N., longitude 82°25'30" W.; thence to latitude 29°29'00" N., longitude 82°39'00" W.; thence to latitude 29°14'30" N., longitude 83°07'30" W.; thence north and west via a line three nautical miles from the mainland to latitude 30°14'50" N., longitude 86°04'40" W.; thence to latitude 30°54'00" N., longitude 86°04'40" W.; thence to latitude 31°00'35" N., longitude 86°11'00" W.; thence to latitude 30°58'00" N., longitude 86°25'00" W.; thence to latitude 31°11'50" N., longitude 86°24'30" W.; thence to latitude 31°38'00" N., longitude 86°18'00" W.; thence to latitude 31°34'30" N., longitude 86°34'30" W.; thence to latitude 31°45'00" N., longitude 86°45'00" W.; thence to latitude 31°45'00" N., longitude 87°30'00" W.; thence to latitude 31°58'30" N., longitude 88°19'09" W.; thence to latitude 31°45'00" N., longitude 90°13'00" W.; thence to latitude 31°57'00" N., longitude 91°30'00" W.; thence to latitude 32°25'00" N., longitude 91°30'00" W.; thence to latitude 33°43'00" N., longitude 93°00'00" W.; thence to latitude 36°30'00" N., longitude 93°00'00" W.; thence to latitude 37°46'40" N., longitude 88°34'30" W.; thence to latitude 37°43'30" N., longitude 88°19'00" W.; thence to latitude 38°30'00" N., longitude 88°00'00" W.; thence to latitude 39°22'00" N., longitude 88°00'00" W.; thence counterclockwise along an arc with a 65-statute mile radius centered at latitude 39°05'37" N., longitude 89°09'45" W.; to latitude 39°55'30" N., longitude 88°35'30" W.; thence to latitude 40°03'00" N., longitude 89°07'00" W.; thence counterclockwise along an arc with a 29-statute mile radius centered at latitude 39°53'32" N., longitude 89°37'31" W.; to latitude 40°17'20" N., longitude 89°48'00" W.; thence to latitude 40°08'30" N., longitude 90°10'00" W.; thence to latitude 41°00'00" N., longitude 90°50'00" W.; thence to latitude 42°00'00" N., longitude 91°00'00" W.; thence to latitude 43°10'00" N., longitude 90°30'00" W.; thence to the point of beginning.

This amendment shall become effective 0001, e.s.t., February 7, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 3, 1963.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc 63–105; Filed, Jan. 4, 1963; 8:47 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1537; Amdt. 526]

PART 507—AIRWORTHINESS DIRECTIVES

Grumman Model G–164 Aircraft

Investigation has revealed that engine mount washers, which did not meet the aircraft manufacturers' specifications, had failed. These washers, purchased

from a subcontractor were used only in aircraft serial numbers 101 through 150. To correct this unsafe condition, an Airworthiness Directive is being issued to require replacement of such washers.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

GRUMMAN. Applies to Grumman G–164 aircraft Serial Numbers 101 through 150 inclusive.

Compliance required within the next 50 hours' time in service after the effective date of the AD.

As a result of an investigation of engine mount washers (P/N S–136–1–D), which had failed, installed on Model G–164 aircraft, Serial Numbers 101 through 150 inclusive, it has been established that the engine mount washers presently installed on these aircraft do not conform to the approved Grumman specifications.

To preclude the possibility of an engine loss due to these washers, accomplish either (a) or (b).

(a) (1) Replace the presently installed engine mount washers, P/N S–136–1–D with washers (16 required), furnished by Grumman, that meet the detail drawing P/N S–136–1–D.

(2) CAUTION: The replacement washers furnished by Grumman have the same part number as the washers presently installed on the aircraft.

(Grumman Service Bulletin No. 21 covers this same subject.)

(b) Replace the presently installed engine mount washers, P/N S–136–1–D with washers (16 required) made from 2017–T4 Aluminum Alloy, QQ–A–351e or QQ–A–00225/5 anodized per Spec. MIL–A–8625A which have the following geometric dimensions:

0.125-inch ± 0.010 thick x 1¾-inches $\pm \frac{1}{64}$ outside diameter with a center drilled $\frac{25}{64}$-inch $\frac{+0.008}{-0.001}$ diameter hole.

This amendment shall become effective January 5, 1963.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on January 2, 1963.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63–102; Filed, Jan. 4, 1963; 8:47 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55797]

PART 9—IMPORTATIONS BY MAIL

Mail Matter Determined To Be Communist Political Propaganda

Section 305, title III of the "Postal Service and Federal Employees Salary Act of 1962", Public Law 87–793, approved October 11, 1962, added a new section 4008 to title 39 (The Postal Service), United States Code, entitled "Communist political propaganda." The section becomes effective on January 7, 1963.

Subsection (a) of section 4008 requires determinations to be made as to whether certain mail matter is "Communist political propaganda" in accordance with the definition prescribed by subsection (b) of section 4008.

Part 9 of the Customs Regulations is hereby amended, as set forth below, to add a new § 9.13 to place in collectors of customs the authority to make the foregoing determinations. The new section also provides, among other things, that such determinations shall be communicated forthwith to the appropriate postmaster.

1. New § 9.13 shall become effective on January 7, 1963, and reads as follows:

§ 9.13 Communist political propaganda.

(a) Collectors of customs shall make determinations required by subsection (a) of 39 U.S.C. 4008[*] as to whether mail matter, except sealed letters, which originates or which is printed or otherwise prepared in a foreign country, is "Communist political propaganda" within the meaning of subsection (b) of 39 U.S.C. 4008.[*] Such determinations shall be communicated forthwith to the appropriate postmaster.

(b) A collector of customs is authorized to make the foregoing determinations with respect to all mail matter whether it arrives in the customs collection district under his jurisdiction or in a customs collection district under the jurisdiction of any other collector of customs.

(c) Subsection (c) of 39 U.S.C. 4008[*] provides for the delivery of certain mail matter to specified classes of addressees without reference to whether such mail matter is "Communist political propaganda." The Post Office Department will determine which mail is in these categories.

(Sec. 305, 74 Stat. 654; 39 U.S.C. 4008)

2. Part 9 is amended to add a footnote designated "9" reading as follows:

[*] (a) Mail matter, except sealed letters, which originates or which is printed or otherwise prepared in a foreign country and which is determined by the Secretary of the Treasury pursuant to rules and regulations to be promulgated by him to be "communist political propaganda", shall be detained by the Postmaster General upon its arrival for delivery in the United States, or upon its subsequent deposit in the United States domestic mails, and the addressee shall be notified that such matter has been received and will be delivered only upon the addressee's request, except that such detention shall not be required in the case of any matter which is furnished pursuant to subscription or which is otherwise ascertained by the Postmaster General to be desired by the addressee. If no request for delivery is made by the addressee within a reasonable time, which shall not exceed sixty days, the matter detained shall be disposed of as the Postmaster General directs.

(b) For the purposes of this section, the term "communist political propaganda" means political propaganda, as defined in section 1(j) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 (j)), issued by or on behalf of any country with respect to which there is in effect a suspension or withdrawal of tariff concessions pursuant to section 5 of the Trade Agreements Extension Act of 1951 or section 231 of the Trade Expansion Act of 1962, or any country from which any type of foreign assistance is withheld pursuant to section 620(f) of the Foreign Assistance Act of 1961, as amended.

(c) The provisions of this section shall not be applicable with respect to (1) matter addressed to any United States Government agency, or any public library, or to any college, university, graduate school, or scientific or professional institution for advanced studies, or any official thereof, or (2) material whether or not "communist political propaganda" addressed for delivery in the United States pursuant to a reciprocal cultural international agreement under which the United States Government mails an equal amount of material for delivery in any country described in subsection (b). (39 U.S.C. 4008.)

(R.S. 161, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1624)

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

Approved: December 27, 1962.

JAMES P. HENDRICK,
Acting Assistant Secretary
of the Treasury.

[F.R. Doc. 63–142; Filed, Jan. 4, 1963; 8:47 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 213—ADMINISTRATION OF LANDS UNDER TITLE III OF THE BANKHEAD-JONES FARM TENANT ACT BY THE FOREST SERVICE

National Grasslands

By virtue of the authority vested in the Chief, Forest Service, § 213.5, Title 36, of the Code of Federal Regulations is amended and supplemented as follows:

1. By deleting from the listing under Oklahoma:

Roger Mills—Black Kettle National Grassland.

2. By adding to the listing under Texas:

Gray—McClellan Creek National Grassland.

3. By adding the following new listing:

Oklahoma-Texas:
Roger Mills (Okla.), Hemphill (Tex.)—Black Kettle National Grassland.

(Sec. 213.5, as amended, issued under 50 Stat. 525, as amended, 7 U.S.C. 1010–1012; 36 CFR 213.2)

The effective date of this amendment is January 1, 1963.

Done at Washington, D.C., this 28th day of December 1962.

[SEAL] EDWARD P. CLIFF,
Chief, Forest Service.

[F.R. Doc. 63–101; Filed, Jan. 4, 1963; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2783]

(Colorado 066553)

COLORADO

Withdrawals for Forest Service Recreation Areas; Correcting Public Land Order No. 2589 of January 15, 1962

Correction

In F.R. Doc. 62–10257, appearing at page 10121 of the issue for Tuesday, October 16, 1962, under Sixth Principal Meridian, Pike National Forest, *Grassy Saddle Picnic Ground*, sec. 19 under T. 13 S., R. 67 W., is changed to read:

Sec. 19, W½NE¼NE¼, N½NW¼NE¼, and SE¼NW¼NE¼.

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER S—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND ACCIDENT STATISTICS

[CGFR 62–53]

PART 171—STANDARDS FOR NUMBERING

Subpart 171.10—Application for Number

RENEWAL OF MOTORBOAT NUMBERS ISSUED BY THE COAST GUARD

Since April 1, 1960, the Coast Guard has issued Certificates of Number to owners of motorboats in accordance with the Federal Boating Act of 1958 (46 U.S.C. 527–527h). The States of principal use for which the Coast Guard presently issues Certificates of Number are: Alaska, District of Columbia, Guam, Hawaii, Maine, New Hampshire, Pennsylvania, Tennessee, Washington and Wyoming. The Certificate of Number issued for vessels subject to the Act is valid for a period of 3 years from the date shown thereon unless sooner revoked or canceled.

The provisions of 46 CFR 171.10–20 permit the renewal of Certificates of Number issued by the Coast Guard and provide for the owners of numbered motorboats to submit renewal applications within 90 days prior to the date of expiration placed on the certificates. A comprehensive procedure for issuing Certificates of Number based on renewal applications has been completed. That procedure is designed to expedite the issuance of renewal certificates. Approximately 90 days prior to the expiration date as shown on the individual Certificate of Number the Coast Guard will forward to the owner of the vessel numbered a completed "Application for Number," Form CG–3876. This "Application for Number" will contain information taken from Coast Guard numbering records, and instructions for submitting such application by the owner will be included for his guidance. The failure of the Coast Guard, however, to forward such application and instructions, or the failure of the owner of a particular vessel to receive them, shall not excuse the owner from the requirement of renewing his Certificate of Number on or before the expiration date shown thereon.

The purposes for the amendment to 46 CFR 171.10–20 as set forth in this document are:

(a) To describe the procedures adopted to accomplish the actual renewal of Certificates of Number.

(b) In conjunction with § 171.15–15 to provide for assigning expiration dates under all possible circumstances.

(c) To clarify requirements that an application for renewal of a number received after the Certificate of Number has expired shall be considered and treated in the same manner as an original application for number; however, if received within one year from date of expiration of certificate, the same number will be reissued; and

(d) To state that a Certificate of Number is void after the date of expiration thereon, which is in agreement with § 171.15–15.

Because the amendments in this document describe procedures or are editorial in nature, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, and public rule-making procedures thereon) is unnecessary or exempted by specific provisions in section 4 of the Administrative Procedure Act (5 U.S.C. 1003).

By virtue of the authority transferred to me as Commandant, United States Coast Guard, by Treasury Department Order 167–32 dated September 23, 1958 (23 F.R. 7605), I hereby promulgate the following amendment to § 171.10–20 pursuant to section 7 of the Federal Boating Act of 1958 to be in effect on and after 60 days after publication in the FEDERAL REGISTER:

§ 171.10–20 Renewal of numbers.

(a) Numbers issued to owners of undocumented vessels pursuant to the regulations in this Part shall be renewed not later than the expiration dates shown on the Certificates of Number. The number may be renewed at any time within the 90-day period preceding the expiration date on the Certificate of Number. However, the renewal application should be received by the Coast Guard 60 days prior to the expiration date shown on the Certificate of Number.

(b) Approximately 90 days prior to the expiration date as shown on the Certificate of Number the Coast Guard will forward to the owner of the vessel numbered a completed "Application for Number," Form CG–3876. The Application for Number shall contain information taken from Coast Guard numbering records, and instructions for submitting such application shall be forwarded. The failure by the Coast Guard to forward such an application and instructions, or the failure of the owner to receive them, does not excuse the owner from the requirement of renewing the number on or before the expiration date shown on the Certificate of Number as provided in paragraph (a) of this section.

(c) Should an owner of a vessel numbered pursuant to the regulations in this Part fail to receive the "Application for Number," Form CG–3876, as described in paragraph (b) of this section, 60 days prior to the expiration date on his Certificate of Number, he shall obtain an "Application for Number" and complete it in the manner prescribed in § 171.10–5 of this Part except that instead of marking one of the boxes in Item 9, "Reason for Application," he shall write at the bottom of the application the words "Renewal Application." Applications for numbers are available upon request at all First Class and Second Class Post Offices throughout the United States and at all designated Third and Fourth Class Post Offices in States in which undocumented vessels must be numbered by the Coast Guard, and at all Coast Guard Marine Inspection Offices.

(d) The "Application for Number," Form CG–3876, used to renew a number which is received after the date of expiration of the certificate of number shall be treated in the same manner as an application for an original number. The same number will be reissued provided that the "Application for Number" is received within one year from the date of expiration as shown on the Certificate of Number.

(e) A number renewed prior to the expiration date as shown on the Certificate of Number shall be valid for a period ending three years from the date of expiration of the Certificate of Number being renewed. The number renewed after the date of expiration of the Certificate of Number shall be valid for a period ending three years from the anniversary of the date of birth next succeeding the issuance of the Certificate of Number, except that the number renewed by other than an individual shall expire three years from date of issuance. Certificates of Number are void after the dates of expiration thereon. (See § 171.15–15 for period of validity of Certificate of Number.)

(Sec. 7, 72 Stat. 1757; 46 U.S.C. 527d)

Dated: December 28, 1962.

[SEAL] E. J. ROLAND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 63–104; Filed, Jan. 4, 1963; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. 174]

PART 91—LOCOMOTIVE INSPECTION

Locomotives Other Than Steam; Classification or Marker Lights

In the matter of petition to amend § 91.232 and modification of effective dates, at a session of the Interstate Commerce Commission, Safety and Service Board No. 1, held at its office in Washington, D.C., on the 19th day of December A.D. 1962:

It appearing, that by an order dated March 4, 1958, as amended, new rules and instructions for inspection and testing of locomotives other than steam were prescribed to supersede those prescribed by the Commission's order of December 14, 1925, as amended;

It further appearing, that in response to a petition of the Association of American Railroads, an order was entered on November 26, 1958, which, among other things, postponed the compliance date of § 91.232 *Classification or marker lights*, of the said order of March 4, 1958, as amended, from January 1, 1959, to January 1, 1962, subject to the provision that not less than 33⅓ percent of each railroad's locomotive units shall be brought into compliance with the said section not later than January 1, 1960, not less than 66⅔ percent not later than January 1, 1961, and the remainder not later than January 1, 1962;

It further appearing, that as of July 1, 1960, the railroads having locomotive units subject to the provisions of § 91.232 had in most instances brought such locomotive units into compliance with the requirements of said section;

It further appearing, that in response to a second petition of the Association of American Railroads, the order of March 4, 1958, as amended, insofar as it required not less than 66⅔ percent of each railroad's locomotive units to be brought into compliance not later than January 1, 1961, and the remainder not later than January 1, 1962, was modified by postponing the respective compliance dates from January 1, 1961, to January 1, 1962, and from January 1, 1962, to January 1, 1963;

It further appearing, that the said Association of American Railroads, by a petition filed on September 18, 1962, seeks a further amendment of the said order of March 4, 1958, by (1) striking therefrom the words "cab windows" contained in the last sentence of § 91.232, or by appropriate language excluding from the operation and effect of such words carbody-type diesel locomotive units and straight-electric locomotive units and (2) entering an order postponing the date for compliance with the language of the last sentence of said § 91.232 relating to cab windows until a date one year following service of the Commission's final decision on the matters presented in the petition;

It further appearing, that the reasons advanced in the instant petition of the said Association of American Railroads concerning carbody-type diesel locomotive cab units and straight-electric locomotive units are substantially the same as those taken into consideration by the Commission prior to the issuance of the order of March 4, 1958;

It further appearing, that the instant petition does not indicate what proportion of locomotive units have been brought into compliance in accordance with the ⅓ and ⅔ requirements of the Commission's order of March 4, 1958, nor does it indicate how many, if any, carriers have fulfilled the requirements of said order;

And it further appearing, that the enforcement of the last sentence of § 91.232 as it relates to cab windows, does not impose an undue or unjust burden upon the member carriers of the Association of American Railroads, nor does it create new hazards to life and limb:

It is ordered, That the part of the said petition seeking a further amendment of the said order of March 4, 1958, by striking therefrom the words "cab windows" contained in the last sentence of § 91.202, or by appropriate language excluding from the operation and effect of such words car-body-type diesel locomotive units and straight-electric locomotive units be, and it is hereby, denied;

It is further ordered, That the part of the said petition seeking a postponement of the date for compliance with the requirements of § 91.232 be, and it is hereby granted only to the extent of postponing the compliance date to April 1, 1963, subject to the following conditions: That the Association of American Railroads (1) will forthwith furnish this Commission with a statement which will clearly indicate, by individual member carriers, the percent of locomotive units which have, as of December 1, 1962, been brought into compliance with the requirements of § 91.232, and (2) will furnish this Commission with subsequent statements, promptly after February 1, 1963, and March 1, 1963, which will clearly indicate, by individual member carriers, the percent of locomotive units which have been brought into compliance with said section as of February 1, 1963, and March 1, 1963;

It is further ordered, That said petition is denied in all other respects;

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Interstate Commerce Commission, Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

(Sec. 5, 36 Stat. 914, as amended; 45 U.S.C. No. 28. Interpret or apply sec. 2, 36 Stat. 913, as amended; 45 U.S.C. 23)

By the Commission, Safety and Service Board No. 1.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-89; Filed, Jan. 4, 1963; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Chautauqua National Wildlife Refuge, and Crab Orchard National Wildlife Refuge, Illinois

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

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

ILLINOIS

CHAUTAUQUA NATIONAL WILDLIFE REFUGE

Sport fishing on the Chautauqua National Wildlife Refuge, Illinois, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 3,700 acres or 100 percent of the total water area of the refuge, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Largemouth and smallmouth bass, and other minor species as permitted by State regulations.

(b) Open season: from 4:00 a.m. to 9:00 p.m., central standard time, each day during the periods from January 1 through March 14, 1963, in the open area of Lake Chautauqua; from January 1 through September 30, 1963, in the open area of Liverpool Lake; from March 15 through September 30, 1963, in all waters of Lake Chautauqua; and from October 1 through December 31, 1963, in designated waters of Lake Chautauqua.

(c) Daily creel limits: Largemouth and smallmouth bass—10 of each species; creel limits for other species as prescribed by State regulations.

(d) Methods of fishing:

(1) The use of boats, including boats powered by motors not to exceed six (6) horsepower, is permitted in the waters of Lake Chautauqua. The use of boats and motors, without limitation on horsepower rating of motors, is permitted in the waters of Liverpool Lake and the refuge borrow ditch adjacent to the main dike outside of Lake Chautauqua. Illinois Boat Registration and Safety Act regulations must be adhered to.

(2) The use of seines or other devices for taking minnows or other bait is prohibited.

(3) Sport fishing with pole and line, bank pole and line, throwline, trot line, or buoyed ganging devices not exceeding fifty (50) hooks in the aggregate is permitted. Trot lines shall be tagged with a weatherproof tag indicating owner's name and permanent address. Trot lines may be attended by the owner or members of his immediate family only.

(4) The use of live boxes is prohibited, except that owners of cottages on the lake may utilize them.

(5) Boats, equipment and other fishing gear may be hauled or taken across dikes only at pull-overs designated by suitable posting by the refuge officer in charge.

(6) No person shall enter upon, cross over, or fish from any dike, water control structure, or shoreline within the refuge except as follows: Sport fishing shall be permitted from that part of the main dike that extends for approximately 700 feet easterly from the inlet gate to the main shore at Boatyard No. 3, and from the shoreline within a distance of 660 feet at each of the established boatyards; these areas are delineated by suitable posting by the refuge officer in charge.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to January 1, 1964.

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Sport fishing on the Crab Orchard National Wildlife Refuge, Illinois, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 8,800 acres or 100 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyed pike, largemouth and smallmouth bass, and other minor species as prescribed by State regulations.

(b) Open season: January 1 through December 31, 1963, in areas designated on map as I and III; March 15 through September 30, 1963, daylight hours only, in area designated on map as II.

(c) Daily creel limits: Northern pike—5, size limit 20 inches; walleyed pike, sauger—10 (singly or aggregate); largemouth bass—10; smallmouth bass—10; creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

(1) It is unlawful to take fish through the ice by use of more than two poles and lines at any one time or with more than two hooks attached to each line; or from any hole cut in the ice that is larger than 12 inches in diameter.

(2) It is unlawful to use any pole and line, or rod and line device to which more than two (2) hooks have been attached; to use more than 50 hooks in the aggregate; (trotline may be used under separate license in excess of 50 hooks).

(3) It is unlawful to use any trotline, throwline or similar device, having hooks spaced at intervals less than 24 inches.

(4) It is unlawful to leave unattended any trotline without a tag indicating name and address of owner.

(5) See State regulations for additional details.

(6) The use of boats is permitted, except no boat with motor larger than six (6) horsepower is permitted on Little Grassy Lake and on Devils Kitchen Lake.

(7) The use of minnows or fish, or parts thereof, either dead or alive, for bait is not permitted in the waters of Devils Kitchen Lake.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to January 1, 1964.

R. W. BURWELL,
Regional Director, Bureau of Sport Fisheries and Wildlife.

DECEMBER 31, 1962.

[F.R. Doc. 63-99; Filed, Jan. 4, 1963; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTRURAL COMMODITIES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition has been filed by E. I. du Pont de Nemours & Company, Inc., Wilmington 98, Delaware, proposing the establishment of tolerances for residues of linuron (3-(3,4-dichlorophenyl)-1-methoxy-1-methylurea) at 1 part per million in or on corn fodder or forage, including field corn, sweet corn, and popcorn, soybeans (dry or succulent), and meat, fat, and meat byproducts from cattle.

The petition was found to be deficient because of absence of the completed report on the chronic toxicity study on dogs. However, the petitioner expressed the intention of amending the petition with this study when completed and requested that the petition be filed as submitted, as provided in § 120.7(d).

The analytical method proposed in the petition for determining residues of linuron is as follows: Bleidner et al. published in the Journal of Agricultural and Food Chemistry, volume II, page 476 (1954) for monuron, with modifications for 3-(3,4-dichlorophenyl)-1-methoxy-1-methylurea, and the chromatographic separation technique of Bleidner (ibid., page 682). It is proposed that paper chromatography be used for specific identification of linuron residues.

Dated: December 28, 1962.

ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 63-94; Filed, Jan. 4, 1963; 8:46 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 569) has been filed by Avery Label Company, Division of Avery Adhesive Products, Inc., 1616 South California Avenue, Monrovia, California, proposing the amendment of the list "Components of Adhesives" in § 121.2520(c)(5) by:

1. Adding, in alphabetical order, the new item "Cyclohexanone resin."
2. Adding to the item "Polymers: Homopolymers and copolymers * * *" the monomer "Propyl acrylate."

Dated: December 28, 1962.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 63-95; Filed, Jan. 4, 1963; 8:46 a.m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14743; FCC 62M–1702]

CAROL MUSIC, INC.

Order Scheduling Hearing Conference

In the matter of revocation of license and subsidiary communications authorization of Carol Music, Inc., for FM Broadcast Station WCLM, Chicago, Illinois, Docket No. 14743.

It is ordered, This 28th day of December 1962, on the Examiner's own motion, that the record in the above-entitled proceeding is reopened; and that a hearing conference in the said proceeding will be held January 7, 1963, in the Offices of the Commission, Washington, D.C., commencing at 9:00 a.m.

Released: December 28, 1962.

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

[F.R. Doc. 63–85; Filed, Jan. 4, 1963; 8:45 a.m.]

[Docket Nos. 14815–14817; FCC 62R–187]

WILLIAM S. COOK ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of William S. Cook, Colorado Springs, Colorado, Docket No. 14815, File No. BP–14198; Charles W. Stone (KCHY), Cheyenne, Wyoming, Docket No. 14816, File No. BP–15080; Frances C. Gaguine and Bernice Schwartz, d/b as Denver Area Broadcasters (KDAB), Arvada, Colorado, Docket No. 14817, File No. BMP–9769; for construction permits.

1. The Review Board has under consideration a Motion for Modification of Issues in this proceeding filed on November 20, 1962, by Frances C. Gaguine and Bernice Schwartz, d/b as Denver Area Broadcasters (KDAB); Answer to Motion for Modification of Issues, filed on November 23, 1962, by Lakewood Broadcasting Service, Inc. (KLAK), a party respondent; Broadcast Bureau Response to Motion for Modification of Issues, filed on December 3, 1962; and Broadcast Bureau Response to Answer to Motion for Modification of Issues, filed December 3, 1962.

2. The Commission, on October 17, 1962, adopted an Order, released October 22, 1962, designating the above-entitled applications for a hearing in a consolidated proceeding. Of those issues designated for hearing, the only ones which are pertinent for consideration of the foregoing pleadings, are the following:

5. To determine, for the purposes of § 3.28(d)(3) of the Commission's rules, whether Arvada, Colorado, is a separate community from Denver, Colorado.

6. To determine, if it is concluded that Arvada, Colorado, is a separate community pursuant to Issue No. 5 above, whether, because of interference received, the nighttime proposal of Station KDAB would be consistent with the requirements of § 3.24(b) of the Commission's rules.

7. To determine, if it is concluded that Arvada, Colorado, is not a separate community pursuant to Issue No. 5 above, whether interference received from existing stations would affect more than ten percent of the population within the normally protected primary service area of the instant proposal of Denver Area Broadcasters, in contravention of § 3.28(d)(3) of the Commission's rules, and if so, whether circumstances exist which would warrant a waiver of said section.

3. Denver Area Broadcasters (KDAB) requests that Issue No. 6 be modified to add language concerning a waiver with respect to the requirements of § 3.24(b) of the rules. In support, it states that its counsel had considered that a § 3.24(b) Issue was not an appropriate one for a waiver suffix since it would merely be surplusage; that it was assumed that "waiver" considerations were appropriate without an express waiver suffix in the issue; that both programming and engineering evidence could be adduced in support of a waiver without such suffix; and that, accordingly, no request has heretofore been filed for modification of issues. However, it contends that in light of the Memorandum Opinion and Order in the case of Wright and Maltz, Inc. (WBRB), 24 RR 429, a waiver suffix to the 3.24(b) Issue may be appropriate, if not required.

4. The Broadcast Bureau requests that the motion be denied since movant has not shown good cause for its tardiness in filing the request, but believes that the Review Board should on its own motion enlarge the issues as proposed by movant.

5. Lakewood Broadcasting Service, Inc. (KLAK), a party respondent takes no position in regard to the motion except to point out that the motion is untimely filed, but contends that Issue No. 7 contains no direct reference to the question of compliance by the KDAB proposal with § 3.24(b) of the rules; and that in view thereof, Issue No. 7 should be modified so as to make clear that it does include this question. It suggests that Issue No. 7 be amended to read as follows:

7. To determine, if it is concluded that Arvada, Colorado, is not a separate community pursuant to Issue No. 5 above, whether interference received from existing stations would affect more than ten percent of the population within the normally protected primary service area of the instant proposal of Denver Area Broadcasters, in contravention of § 3.28(d)(3) of the Commission's rules, or whether, because of interference received, the nighttime proposal of station KDAB would be consistent with the requirements of § 3.24(b) of the Commission's rules, and if compliance with either § 3.28(d)(3) or § 3.24(b) of the rules is not found, whether circumstances exist which would warrant a waiver of either or both of said sections.

6. The Broadcast Bureau opposes the request of Lakewood Broadcasting Service, Inc. (KLAK), stating that it is in violation of § 1.141 of the rules, in that it is untimely filed; that it contains an original request in what purports to be a responsive pleading; and that in this connection, the Review Board has held in Saul M. Miller, 24 RR 550, that "It is the clear intent of § 1.141 of the rules that requests for enlargement of issues be made in original pleadings * * *" It also opposes the request on its merits contending that, if it is found that Arvada is not a community, then the contravention of § 3.28(d) must be considered and resolved; and that, since there is a request for a waiver, the matter of general inefficiency would be considered in determining whether such a waiver should be granted.

7. As to the motion of Denver Area Broadcasters which is untimely filed, the Review Board is unable to find that good cause has been shown for its untimeliness as required by § 1.141(b) of the Commission's rules. Accordingly, the motion will be denied. However, the Review Board believes that, in light of the Commission's holding in Strafford Broadcasting Corp. (WWNH) 21 RR 793, that Issue No. 6 should be modified on its own motion as hereinafter ordered. With respect to the request of Lakewood Broadcasting Service, Inc., it suffers from the same deficiency as does the motion of Denver Area Broadcasters in that it is untimely filed, and, in addition, it raises a new question, in purportedly a responsive pleading, not raised in the original pleading, and therefore it must be denied. However, turning to the merits of Lakewood's request, the Review Board does not construe Issue No. 7 to be one under which evidence as to the general inefficiency of the proposed operation of KDAB would necessarily be adduced, and, in order to avoid any question concerning the matter, the Review Board will, on its own motion, modify the issue.

Accordingly, it is ordered, This 27th day of December 1962, that the Motion for Modification of Issues filed by Denver Area Broadcasters (KDAB), and the request of Lakewood Broadcasting Service, Inc. (KLAK) made in its Answer to Motion for Modification of Issues, are denied; and

It is further ordered, on the Board's own motion, That Issues Nos. 6 and 7 are modified to read as follows:

6. To determine, if it is concluded that Arvada, Colorado is a separate community pursuant to Issue No. 5 above, whether because of interference received, the nighttime proposal of Station KDAB would be consistent with the requirements of § 3.24(b) of the Commission's rules, and if not, whether circumstances exist which would warrant a waiver of the said section.

7. To determine, if it is concluded that Arvada, Colorado, is not a separate community pursuant to Issue No. 5 above, whether interference received from existing stations would affect more than ten percent of the population within the normally protected primary service area of the instant proposal of Denver Area Broadcasters, in contravention of § 3.28(d)(3) of the Commission's rules, or whether, because of interference received, the nighttime proposal of Station KDAB would be consistent with the requirements of § 3.24(b) of the Commission's rules, and, if compliance with either § 3.28(d)(3) or § 3.24(b) of the rules is not found, whether circumstances exist which would warrant a waiver of either or both of said sections.

Released: December 28, 1962.

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

[F.R. Doc. 63-87; Filed, Jan. 4, 1963; 8.46 a.m.]

[Docket No. 14905]

JAMES EDWARD FEYKO

Order To Show Cause

In the matter of James Edward Feyko, Middle Village, Long Island, New York, Docket No. 14905; order to show cause why there should not be revoked the License for Station 2A5949 in the Citizens Radio Service.

The Commission by its Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain false statements alleged to have been made by the above-named licensee on his application for the license of his Citizens radio station 2A5949;

It appearing that pursuant to section 308(b) of the Communications Act of 1934, as amended, a letter was directed to the licensee on March 27, 1962, and sent by Certified Mail (Cert. No. 97465)—return receipt requested—bringing this matter to the attention of the licensee and requesting that he respond to certain interrogatories contained therein within ten days of his receipt of such letter; and

It further appearing that the licensee did not reply to the above-mentioned official communication; whereupon a further letter, dated April 23, 1962, was sent to him by certified mail (Cert. No. 97208)—return receipt requested—again calling upon the licensee, pursuant to the provisions of section 308(b) of the Communications Act of 1934, as amended, to reply to the interrogatories therein within ten days of his receipt of such letter, but the licensee did not reply; and

It further appearing that in view of the foregoing, the licensee has repeatedly violated section 308(b) of the Communications Act of 1934, as amended, and § 1.76 of the Commission's rules;

It is ordered, This 19th day of December 1962, pursuant to section 312 (a)(4) and (c) of the Communications Act of 1934, as amended, and § 0.291(b)(8) of Part 0 of the Commission's rules, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Acting Secretary send a copy of this Order by Certified Mail—return receipt requested—to the said licensee to his address of record, 63-01 74th Street, Middle Village, Long Island, New York.

Released: December 31, 1962.

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

[F.R. Doc. 63-84; Filed, Jan. 4, 1963; 8:45 a.m.]

[Docket Nos. 14868-14870; FCC 62M-1699]

OREGON MOBILE RADIO ET AL.

Order Continuing Prehearing Conference

In re applications of Robert H. Larson and George E. Milligan d/b as Oregon Mobile Radio, Docket No. 14868, File No. 2174-C2-P-61; for a construction permit to establish a new two-way communications service in the Domestic Public Land Mobile Radio Service at Medford, Oregon; Empire Communications of Medford, Inc., Docket No. 14869, File No. 4080-C2-P-61; for a construction permit to establish a new two-way communications service with control facilities in the Domestic Public Land Mobile Radio Service at Medford, Oregon; Medford Business Exchange, Inc., Docket No. 14870, File No. 589-C2-P-62; for a construction permit to establish a new two-way communications service in the Domestic Public Land Mobile Radio Service at Medford, Oregon.

The Hearing Examiner having under consideration a "Motion for Continuance of Pre-Hearing Conference" filed on December 21, 1962, in the above-entitled matter by the Chief of the Commission's Common Carrier Bureau, and

It appearing that all parties have agreed to the granting of the motion and to its immediate consideration, and that good cause for granting the motion has been shown,

It is ordered, This 21st day of December 1962, that the aforesaid motion be granted and that, accordingly, the prehearing conference now scheduled for January 3, 1963, is rescheduled to commence at 9:00 a.m., January 9, 1963, in the Commission's offices in Washington, D.C.

Released: December 27, 1962.

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

[F.R. Doc. 63-86; Filed, Jan. 4, 1963; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Group 336]

ARIZONA

Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

Correction

In F.R. Doc. 62-12316, appearing at page 12379 of the issue for Thursday, December 13, 1962, the fifth line of item No. 3 should read "NW¼NE¼ sec. 10, T. 39 N, R. 14 W.,".

FEDERAL POWER COMMISSION

[Docket No. G-9510, etc.]

CITIES SERVICE PRODUCTION CO. ET AL.

Order Approving Rate Settlement Proposal, as Amended and Modified, Prescribing Refunds, Severing and Terminating Proceedings

DECEMBER 26, 1962.

In the matter of Cities Service Production Company, Docket No. G-9510, et al.;[1] Cities Service Petroleum Company, Docket Nos. G-13376, et al.; Cities Service Petroleum Company (Operator), et al., Docket Nos. G-14723, et al.

On April 10, 1962, at the request of Cities Service Production Company (Production Company) and Cities Service Petroleum Company (Petroleum Company),[2] conferences were initiated by the staff of the Commission for the purpose of considering the settlement of the issues in the above-docketed proceedings. As a result of such conferences, Cities Service, on October 12, 1962, filed a Settlement Proposal, which was amended by letter dated November 5, 1962. By such letter Cities Service amended the provisions of Article II, Section 6, of the Settlement Proposal, entitled "Make-Up Gas," to extend the applicability of the section to Petroleum Company's Rate Schedule No. 106.

In summary, the settlement proposal provides:

(1) Cities Service's rates for sales of natural gas in interstate commerce, with

[1] Appendix A enumerates all of the dockets, rate schedules, and pending certificate proceedings involved in this order.

[2] Production Company and Petroleum Company are sometimes referred to collectively in this order as "Cities Service."

one exception, shall be at or below the applicable area ceilings;

(2) A moratorium on increased rate filings until April 1, 1965, except with respect to Petroleum Company's Rate Schedule Nos. 70 and 89 the effective date of increased rate filings is January 1, 1964 under the terms set out in detail in the settlement proposal; and except further that the moratorium period for increased rate filings under Production Company's Rate Schedule Nos. 7, 10 and 11 and Petroleum Company's Rate Schedule No. 106 shall extend to July 1, 1967. In certain circumstances set forth in detail in the Settlement Proposal, Cities Service reserves the right to file for contractually authorized increased rates up to the applicable area-rate levels determined through area hearing or by amendment of the Commission's Statement of General Policy No. 61–1, and to file for increased rates resulting from increased state or federal taxes to the extent permitted by the rate schedules.

(3) Cities Service will eliminate favored-nation, price redetermination and periodic escalation provisions from several of its filed rate schedules.

(4) Cities Service will refund to its purchasers under all rate schedules where collections were made subject to refund the difference between the revenues actually received on and after July 1, 1960, and those which would have been received at the proposed settlement rate under the respective rate schedules during the time the respective increases were being collected subject to refund, plus interest as provided in the Commission's applicable suspension orders.

In support of its proposal, Cities Service states that the settlement rates, refunds, moratorium periods and other provisions thereof, some of which are not specifically noted herein, are in the public interest in that they are reasonable and will provide price stability for a long period of time for natural gas moving in interstate commerce.

The only exception to settlement rates at ceiling levels or below, is under Petroleum Company's Rate Schedule No. 126, which is a renegotiated contract covering sales to Colorado Interstate (Colorado Interstate) from the Greenwood Field in Colorado and Kansas. The rate schedules that formed the basis for the renegotiation were Petroleum Company's Rate Schedule No. 87, with an initial rate of 12¢ per Mcf and Petroleum Company's Rate Schedule No. 88, with an initial rate of 15¢ per Mcf. Petroleum Company drilled the first major discovery well in the Greenwood Field, and was forced to drill and develop this acreage to prevent expiration of 90 percent of its leasehold interest. In order to avoid payment of shut-in royalties, Petroleum Company agreed to sell the gas for 12¢ per Mcf to Colorado Interstate, the only purchaser in the area capable of readily taking the gas. After further development, Colorado Interstate began contracting for gas in the same field at 15¢ per Mcf, the rate permanently certificated under Petroleum Company's Rate Schedule No. 88. In 1958, pursuant to the renegotiation provisions of both rate schedules, Petroleum Company and Colorado Interstate negotiated a contract providing for (1) a rate of 16¢ per Mcf; (2) definite periodic rate increases; and (3) an increase of the Btu adjustment from 950 to 1000 Btu per Mcf. Petroleum Company proposes a rate of 15¢ per Mcf for all acreage covered by Rate Schedule No. 126. Petroleum Company agreed to commit to Rate Schedule No. 126, at the 15¢ per Mcf rate, an additional 25,000 acres of undeveloped gas rights located between the base of the Morrow formation and the base of the Mississippian formation.

Our review of all the facts surrounding Petroleum Company's sale to Colorado Interstate in the Greenwood Field causes us to find that the settlement rate of 15¢ per Mcf should be approved.

Cities Service proposes a rate of 17¢ per Mcf plus Btu adjustment for the sale by Production Company to Michigan Wisconsin Pipeline Company (Michigan Wisconsin) from the Laverne Field, Harper County, Oklahoma, under Production Company's Rate Schedule No. 8. The initial price of 17¢ per Mcf, plus Btu adjustment, was permanently certificated by the Commission on April 24, 1958. The Btu adjustment provision in the contract provides for an increase in the base price for additional Btu content. The gas is gathered and delivered for processing by Michigan Wisconsin to the Laverne Plant, which is owned jointly by Cities Service and other Laverne Field producers. The participating producers are required to process the gas and reimburse Michigan Wisconsin for shrinkage and fuel used in processing as well as for decreases in Btu content. Cities Service states that the net effect of the two adjustments will result in a cost of purchased gas to be passed on to Michigan Wisconsin's customers of basically 17¢ per Mcf. In order to avoid any possible ambiguity or misunderstanding, we shall provide that the rate for this sale shall not exceed 17¢ per Mcf including Btu adjustment. Similarly, we shall provide that the 15¢ per Mcf settlement rates contained in Petroleum Company's Rate Schedule Nos. 99, 100, and 140, shall be inclusive of any Btu adjustments.

The settlement proposal includes ten rates for which issuance of related permanent certificates is pending, and service is being rendered under temporary authorizations. Section 7 of the Act requires a hearing on such certificate application. We propose, therefore, to set these certificate matters for abridged hearing, indicating that the proposed initial price is the settlement price. In the meantime, Cities Service shall charge and collect the settlement rates as of the date of this order, or if it elect to continue charging the present rates it shall forthwith file its undertaking agreeing to refund the difference between the present rates and the settlement rates collected by it, in each instance, from October 1, 1962 to the date of the order issuing it a permanent certificate.

With respect to refunds, the various parties to the settlement conferences compiled an agreed-upon cost-of-service. Their studies revealed that during 1960 increased sales, and higher initial rates started to equalize Cities Service's revenue-cost relationship. In view of that and all the terms of the settlement proposal it is appropriate that refunds should be computed for sales made on and after July 1, 1960 to and including September 30, 1962. Cities Service proposes to pay interest on amounts subject to refund only until September 30, 1962. However, since the refunds will not be made until after the issuance of this order, it is appropriate that we require that interest be paid on the refunds to the date the refunds are made to the purchasers.

The instant settlement proposal as herein set forth, and in other particulars not specifically noted herein, meets the criteria previously set forth in our Tidewater, Ohio, and Shell settlement orders,[3] and accordingly, we find it to be in the public interest and should be approved as hereinafter provided.

Our action herein should not be construed, nor may it be, as constituting approval of any future rate increase, if any, that may be filed under the subject rate schedules, and is without prejudice to any findings or order of the Commission in any future proceedings, including area rate proceedings, involving Cities Service's rates and rate schedules.

The Commission finds:

(1) The proposed settlement of the subject proceedings on the basis described herein, as more fully set forth in Cities Service Settlement Proposal filed October 12, 1962, as herein modified, is in the public interest and it is appropriate in carrying out the provisions of the Natural Gas Act that it be conditionally approved and conditionally made effective subject to the modifications, hereinafter ordered.

(2) Good cause exists for approving the settlement rates, for severing and terminating certain proceedings, for severing certain other proceedings, and providing for refunds.

The Commission orders:

(A) The settlement of these proceedings on the basis of the settlement proposal, as amended and herein modified is approved and made effective subject to the following terms and conditions.

(B) The applicable settlement rates set out in Appendix A hereto, except for the settlement rates proposed in Docket Nos. G–19549, G–19559, G–18235, CI60–418, CI60–830, G–18236, CI61–1055, CI61–1100, G–16854, and CI60–20, are approved and shall be effective as of October 1, 1962.

(C) The pending certificate proceedings indicated in Appendix A hereto, shall not be terminated on the basis of

---

[3] Tidewater Oil Co., et al., Docket Nos. ing General Rate Settlement, issued June 15, 1962, 27 FPC —; the Ohio Oil Co., et al., Docket Nos. RI60–92, et al., Order Approving General Rate Settlement Proposal and Terminating Proceedings, issued June 28, 1962, 27 FPC —; Shell Oil Company et al., Docket Nos. G–9446, et al., Order Conditionally Approving General Rate Settlement Proposal, Severing Proceedings, Terminating Proceeding and Requiring Refunds, issued August 1, 1962, 28 FPC —; Bel Oil Corporation, et al., Docket Nos. G–4505, et al., Order Approving Rate Settlement Proposal, As Amended, Prescribing Refunds, Severing and Terminating Proceedings, issued December 12, 1962, 28 FPC —.

the settlement, but shall be determined after hearing.

(D) The settlement rate under Production Company's Rate Schedule No. 8 shall not exceed 17¢ per Mcf including Btu adjustment, and the settlement rates under Petroleum Company's Rate Schedule Nos. 99, 100, and 140, shall not exceed 15¢ per Mcf including Btu adjustment.

(E) Any gas produced from the 25,000 undeveloped acres committed to Colorado Interstate under Petroleum Company's Rate Schedule No. 126 that is not taken by Colorado Interstate but is disposed of by Petroluem Company in accordance with the terms of the contract shall not be sold for a price in excess of 15¢ per Mcf.

(F) The favored-nation provisions in Petroleum Company's Rate Schedule Nos. 1, 2, and 103, shall be eliminated, such elimination to apply also to all present and future producing horizons underlying the acreage dedicated to the respective contracts constituting such rate schedule.

(G) Within 15 days from the date of this order, Cities Service shall file its acceptance of the conditions specified in this order, and within 90 days from the date of this order, Cities Service shall make such filings under its rate schedules as are required to make effective the terms of the settlement proposal.

(H) Within 90 days from the date of this order, Cities Service shall (1) refund, with interest as specified in each docket accruing until the date of payment of such refunds to the purchasers, the difference between the rates collected subject to refund on and after July 1, 1960, and the related settlement rates and (2) report to the Commission, in writing, the amount of refund made to each of its purchasers, showing separately the amount of principal and interest so paid, and the bases used for such determination, together with releases from its purchasers showing receipt of the refunds in conformity to the settlement as approved.

(I) Docket Nos. G–19635, G–19851, RI61–164, RI62–58, RI62–245, G–16854, and CI60–20, are hereby severed from the consolidated proceedings in Docket Nos. AR61–2, et al. Upon full compliance by Cities Service with all the terms and provisions of this order the section 5(a) proceedings in Docket Nos. G–12780 and G–16360, and the section 4(e) proceedings listed in Appendix A hereof shall terminate.

(J) This order is without prejudice to any findings or orders which have been or may be, made hereafter by the Commission, and is without prejudice to claims or contentions which may be made by Cities Service, the Commission staff, or any effected party herein, in any proceedings now pending, or hereafter instituted by or against Cities Service, or any other companies, persons, or parties affected by this order.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

APPENDIX A

CITIES SERVICE PETROLEUM COMPANY AND CITIES SERVICE PRODUCTION COMPANY

Rate schedule No.	Purchaser	Field	Effective rate, cents/Mcf as of July 1, 1962	Proposed settlement price, cents/Mcf	Rate suspension docket
CITIES SERVICE PETROLEUM COMPANY					
Kansas:					
70	Northern Natural	Hugoton	12.0	11.0	G–14724.
71	do	do	11.0	11.0	
72	do	do	15.0	11.0	RI60–168.
86	Cities Service Gas	do	11.0	11.0	
94	Panhandle Eastern	Taloga	16.0	15.0	RI61–398.
97	do	Holt	15.0	15.0	
98	Northern Natural	Belpre	14.5	13.5	RI62–21
101	Panhandle Eastern	Morton Company	16.0	16.0	RI62–327.
104	do	Hugoton	12.0	12.0	
108	Kansas-Nebraska	do	11.0	11.0	
125	Colorado Interstate	do	12.5	12.0	G–17313.
126	do	Greenwood	16.0	15.0	G–17313.
127	Northern Natural	Harper Ranch	15.0	15.0	RI62–201.
131	do	Southeast Benson	15.0	15.0	
133	Colorado Interstate	Eubanks	15.0	15.0	
139	Panhandle Eastern	Hugoton	11.0	11.0	
141	do	Edwards Company	15.0	15.0	
143	Anadarko Production	Morton Company	5.0	5.0	
146	Colorado Interstate	Greenwood	16.0	16.0	
149	Cities Service Gas	Finney Company	12.0	12.0	
Colorado:					
126	Colorado Interstate	Greenwood	16.0	15.0	G–17313.
South Louisiana:					
106	United Gas	South Lewisburg	20.25	20.25	RI62–245.
Oklahoma Panhandle:					
70	Northern Natural	Hugoton	12.0	11.0	G–14724.
89	do	do	12.0	11.0	G–14723.
90	Kansas-Nebraska	do	11.2	11.0	RI62–21.
91	Colorado Interstate	Keyes	16.0	15.0	G–17313.
97	Panhandle Eastern	Light	15.0	15.0	RI62–200.
99	Colorado Interstate	Mocane	15.0	[1] 15.0	
100	do	Southwest Camp Creek.	15.0	[1] 15.0	
121	Kansas-Nebraska	Hugoton (Deep)	17.0	16.2	G–16123, G–19322, RI61–82, RI62–21.
123	Panhandle Eastern	Hugoton	12.0	12.0	
129	Natural Gas Pipeline	Camrick	17.0	16.6	RI60–168, RI61–361, RI62–327.
138	Panhandle Eastern	Murdock	17.0	17.0	
140	Northern Natural	Beaver County	15.0	[1] 15.0	
142	Transwestern Pipeline.	Ellis and Beaver Counties.	17.0	17.0	
147	do	Beaver County	17.0	17.0	
148	Panhandle Eastern	Texas County	16.0	16.0	
151	Colorado Interstate	Mocane	17.0	17.0	
152	Natural Gas Pipeline	Beaver County	17.0	17.0	
Oklahoma Other:					
3	Lone Star	Katie	11.0	11.0	
4	do	Cruce	11.0	11.0	
6	do	Katie	11.0	11.0	
7	do	do	8.0	8.0	
8	do	do	8.0	8.0	
9	do	do	11.0	11.0	
29	do	do	11.0	11.0	
56	do	do	7.0	7.0	
67	Cities Service Gas	West Edmond	6.7	6.7	
69	Lone Star	Katie	8.0	8.0	
93	Cities Service Gas	Bodine Plant	11.0	11.0	
102	do	Alfalfa and Grant Counties.	13.0	12.0	G–20274.
130	El Paso	Beckham and Greer Counties.	12.0	12.0	
150	Oklahoma Natural	Ringwood	11.0	11.0	
Texas Railroad Commission District 2:					
45	Transcontinental	Mineral	8.891	8.891	
48	Texas Eastern	South Cottonwood Creek.	5.359	5.359	
136	United Gas	North LaWard	14.179	14.179	
Texas Railroad Commission District 3:					
1	Trunkline	Columbus-Ramsey	20.0	15.0	G–15210, RI60–143.
103	Texas Eastern	Aldine	15.2	15.0	G–13715, G–16652, G–19636, RI61–165, RI62–40.
128	do	Old Waverly	15.2	15.0	G–19637, RI61–166, RI62–41.
134	Trunkline	Chocolate Bayou	20.0	18.0	
Texas Railroad Commission District 6:					
2	Texas Eastern	Carthage	15.2	15.0	G–13376, G–16652, G–19636, RI61–165, RI62–40.
44	Arkansas Louisiana	North Lansing	12.5541	12.5541	
49	United Gas	Carthage	10.8876	10.8876	
50	Texas Gas	Carthage	10.618	10.618	
145	United Gas	East Texas	10.6344	10.6344	

See footnote at end of table.

APPENDIX A

CITIES SERVICE PETROLEUM COMPANY AND CITIES SERVICE PRODUCTION COMPANY

Rate schedule No.	Purchaser	Field	Effective rate, cents/Mcf as of July 1, 1962	Proposed settlement price, cents/Mcf	Rate suspension docket
CITIES SERVICE PETROLEUM COMPANY—con.					
Texas Railroad Commission District 10:					
14	Lone Star	Panhandle	5.25	5.25	
53	Northern Natural	do	12.07	11.0	RI60-244.
96	do	North Hansford	16.5	15.5	RI62-14.
107	Phillips	Hugoton	4.2813	4.2813	
109	do	West Panhandle	4.2431	4.2431	
110	do	do	4.2431	4.2431	
111	do	do	11.1292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
112	do	do	4.69	4.69	
113	do	do	11.1292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
114	do	do	11.6292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
115	do	do	11.1292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
116	do	do	11.1292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
117	do	do	11.1292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
118	do	do	11.1292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
119	do	do	11.1292	11.0	G-20558, RI61-322, RI61-519, RI62-271.
120	do	do	11.0	11.0	
137	Transwestern Pipeline.	do	17.0	17.0	
CITIES SERVICE PRODUCTION COMPANY					
South Louisiana:					
1	United Fuel	Bourg		(1)	G-9510, G-11325, G-13388, G-16487, G-19635, RI61-164, RI62-58.
7	Transcontinental	Chegby	23.05	20.625	Conditional certificate G-16854.
10	Coastal Transmission	Bay Natchez	19.75	19.75	
11	Southern Natural	Fausse Point	22.17	20.625	
Oklahoma Panhandle:					
8	Michigan Wisconsin	Laverne	17.0	17.0	
Texas Railroad Commission District 6:					
5	Lone Star	Red Springs	14.49	14.49	

NOTE: Louisiana prices are at pressure base of 15.025 psia; all other prices are at 14.65 psia.

[1] Cities Service sold the properties covered by Rate Schedule 1, effective Oct. 1, 1961. The amount to be refunded under such rate schedule is to be computed in accordance with the general refund provision of the attached order based upon the difference between the last rate per Mcf accepted for filing without refund obligation (i.e. 17.5 cents per Mcf including tax reimbursement) and the total rate per Mcf collected subject to refund, multiplied by the volumes delivered by Cities Service from July 1, 1960.

PENDING DOCKETS INCLUDED IN SETTLEMENT FOR WHICH PERMANENT CERTIFICATES HAVE NOT BEEN ISSUED

CITIES SERVICE PETROLEUM COMPANY

Docket No.:	R.S. No.
G-19549	133
G-19559	134
G-18235	137
CI60-418	138
CI60-830	140
G-18236	142
CI61-1055	143
CI61-1100	147
G-16854	7
CI60-20	11

[F.R. Doc. 63-5; Filed, Jan. 4, 1963; 8:45 a.m.]

[Docket No. G-4324, etc.]

D. J. SIMMONS ET AL.

Notice of Applications, Petitions To Amend, and Date of Hearing

DECEMBER 20, 1962.

In the matter of D. J. Simmons, et al. d/b/a Farrell & Company of Louisiana, Docket No. G-4324; Texaco Inc., Docket No. G-4824; H. F. Simonton, Docket Nos. G-5412, G-19285; Orange Grove Oil & Gas Corporation (Operator), et al., Docket No. G-6307; Gulf Oil Corporation, Docket No. G-7173; Vance L & J Hood Horner, Docket No. G-8391; Alleghany Land and Mineral Company, Docket No. G-8404; Coastal States Gas Producing, Docket No. G-8832; The Superior Oil Company, Docket No. G-8906; Wheless Drilling Company, Docket No. G-9670; Socony Mobil Oil Company, Inc., Docket No. G-11949; Socony Mobil Oil Company, Inc., Docket No. G-13746; Gordon Street, Inc., Docket No. G-15392; Gulf Oil Corporation, Docket No. G-16139; Gulf Oil Corporation, Docket No. G-16218; Gulf Oil Corporation, Docket No. G-16524; Sohio Petroleum Company (Operator), et al., Docket No. G-17012; Skelly Oil Company, Docket No. G-17460; King-Stevenson Oil Company, Docket No. G-17482; Skelly Oil Company (Operator), et al., Docket No. G-17559; W. K. Byron (Operator), et al., Docket Nos. G-18050, G-18051. CI63-420; Southern Petroleum Exploration, Inc., Docket Nos. G-18141, CI63-375; Wheless Drilling Company (Operator), et al., Docket No. G-18335; BBM Drilling Company, Docket No. G-18785; Shell Oil Company, Docket No. CI61-151; Compass Exploration, Inc. (Operator), et al., Docket No. CI61-299; The Superior Oil Company, Docket No. CI61-807; Bowser Gas and Oil Co., Docket No. CI61-854; Producing Properties, Inc. and Producing Properties (Operator), et al., Docket No. CI61-919; Haynes & V. T. Drilling Company (Operator) et al., Docket No. CI61-1157; Tidewater Oil Company (Operator), et al., Docket No. CI61-1206; Shell Oil Company (Operator), et al., Docket No. CI61-1430; Thomas J. Blaho, Jr., et al., Docket Nos. CI61-1622, CI62-422; Monsanto Chemical Company, Docket No. CI61-1778; W. H. Hudson (Operator), et al., Docket No. CI61-1806; Normantown Gas Company, Docket No. CI62-384; Compass Exploration, Inc., Docket No. CI62-579; M. F. McCain, et al., Docket No. CI62-582; Allerton Miller, Docket No. CI62-597; Allerton Miller, Docket No. CI62-604;

Weir Walker, et al., Docket No. CI62-649; W. H. Mosser d/b/a Hurst Oil & Gas Company, Docket No. CI62-664; M. D. Abel, et al. d/b/a Abel & Bancroft, Docket No. CI62-675; A. G. Hall, Docket No. CI62-907; C. H. Lyon, Sr., et al., Docket No. CI62-953; Toto Gas Company, Docket No. CI62-1067; Four States Drilling Co., Inc., Docket No. CI62-1075; Lyons & Logan (Operator), et al., Docket No. CI62-1277; Murphy Oil Company of Oklahoma, Inc., Docket No. CI62-1298; Plains Exploration Company, et al., Docket No. CI62-1378; Anadarko Production Company, Docket No. CI63-1; South-Tex Corporation, Docket No. CI63-33; Cities Service Petroleum Company, Docket No. CI63-76; Prado Oil and Gas Company, Docket No. CI63-125; Prado Oil and Gas Company, Docket No. CI63-126; The California Company, Docket No. CI63-169; King-Stevenson Gas and Oil Company, Docket No. CI63-240; Cabot Corporation, Docket No. CI63-254; Horizon Oil & Gas Company, Docket No. CI63-257; King-Stevenson Gas and Oil Company, Docket No. CI63-263; King-Stevenson Gas and Oil Company, Docket No. CI63-292; King-Stevenson Gas and Oil Company, Docket No. CI63-293; W. H. Mossor d/b/a

Parkersburg, Docket No. CI63–306; Bank Oil & Gas Company, F. A. Deem, et al. d/b/a Bee Gas Company, Docket No. CI63–307.

Holly Nester, Agent for Ernest Rogers, et al., Docket No. CI63–308; Yost & Yost, Inc., Docket No. CI63–309; C & G Joint Venture, Docket No. CI63–310; Tenneco Corporation, Docket No. CI63–311; Pioneer Petroleum, Inc., Docket No. CI63–319; Pioneer Petroleum, Inc., Docket No. CI63–320; Harry Kalish, et al., Docket No. CI63–321; Ray Blackwell, et al., Docket No. CI63–322; W. C. Wilson d/b/a Wilson Sturm #1, Docket No. CI63–323; Trio Oil & Gas Company, Inc., Docket No. CI63–324; Biogeo, Inc., et al., Docket No. CI63–325; R. M. Kuhn, Agent for Mason Gas Company No. 1 Mason, Docket No. CI63–329; E. G. Pence, et al., Docket No. CI63–330; W. Leslie Rogers, Docket No. CI63–331; Jack Voyler and James Novis, Docket No. CI63–332; M. J. Moran, Docket No. CI63–333; Warren Petroleum Corporation, Docket No. CI63–335.

Astral Oil Company, Inc., Agent for Oil Participation, Inc., Docket No. CI63–342; Tenneco Oil Company, Docket No. CI63–343; First Transportation Gas Corporation, Inc., Docket No. CI63–347; The Gerhig Company of Arkansas, Docket No. CI63–348; Texaco Inc., Docket No. CI63–349; C. L. Kingsbury, et al., Docket No. CI63–350; W. H. Busch, Docket No. CI63–351; Dalton and Harne, Docket No. CI63–352; J. L. Mills, et al., Docket No. CI63–355; G. E. Penn (Operator), et al., Docket No. CI63–357; BTA Oil Producers (Operator), et al., Docket No. CI63–358; Highland Oil Company (Operator), et al., Docket No. CI63–359; E. Lyle Johnson, Docket No. CI63–360; Robert F. White and Oliver Hughes (Operator), et al., Docket No. CI63–362; Gas Futures, Ltd., Docket No. CI63–363; Allerton Miller, Docket No. CI63–364; City Service Petroleum Company, Docket No. CI63–365; C & G Joint Venture, Docket No. CI63–367; Gararidge Corporation (Operator), et al., Docket No. CI63–369;

Amherst Company, Docket No. CI63–372; Peter Nydam, et al., Docket No. CI63–373; Texaco Inc., Docket No. CI63–374; Southern Petroleum Exploration, Inc., Docket No. CI63–375; George Longfellow d/b/a Sharp Well No. 1, Docket No. CI63–376; Kimbark Exploration Company, Docket No. CI63–382; BTA Oil Producers (Operator), et al., Docket No. CI63–384; BTA Oil Producers (Operator), et al., Docket No. CI63–385; N. G. Clark d/b/a Glenn, Inc., Docket No. CI63–386; Charles B. Gillespie, Jr. (Operator), et al., Docket No. CI63–391; Abel & Bancraft, Docket No. CI63–395; R. James Gear, Docket No. CI53–396; Texaco Inc., Docket No. CI63–397; Bowers Drilling Company, Inc. (Operator), et al., Docket No. CI63–398; Gilcrease Oil Company, Docket No. CI63–400; John Franks (Operator), et al., Docket No. CI63–404; Southwestern Development Co., Docket No. CI63–408; Sohio Petroleum Company, Docket No. CI63–411;

Hall-Jones Corporation (Operator), et al, Docket No. CI63–414; Henry S. Inger, Docket No. CI63–415; Paul A. Ash d/b/a Oil & Gas Company, Docket No. CI63–418; R. A. Teichman, Jr., et al., Docket No. CI63–422; Skelly Oil Company, Docket No. CI63–426; The Shamrock Oil and Gas Corp., Docket No. CI63–428; The Shamrock Oil and Gas Corp., Docket No. CI63–429; Amax Petroleum Corporation, et al., Docket No. CI63–431; M. H. Marr, et al., Docket No. CI63–433; Atlas Corporation, Docket No. CI63–435; Atlas Corporation, Docket No. CI63–436; Allerton Miller, Docket No. CI63–438; Robert E. Aikman, et al., d/b/a Aikman Brothers, Docket No. CI63–442; Robert E. Aikman, et al. d/b/a Aikman 61, Ltd., Docket No. CI63–443; Mid-American Minerals, Inc., Docket No. CI63–444; James F. Scott, et al., Docket No. CI63–445; James F. Scott, et al., Docket No. CI63–446; Texaco Inc., Docket No. CI63–449; L. B. Coffman d/b/a Coffman Oil & Gas Company, Docket No. CI63–452;

Humble Oil and Refining Company, Docket No. CI63–455; Shell Oil Company, Docket No. CI63–467; Texas Pacific Coal and Oil Company, Docket No. CI63–469; Sun Oil Company, Docket No. CI63–472; Helen F. Young, et al., Docket No. CI63–475; Atlas Corporation, Docket No. CI63–482; Continental Oil Company, Docket No. CI63–499; Flacon Seaboard Drilling Company (Operator), et al., Docket No. CI63–502; George R. Brown (Operator), et al., Docket No. CI63–523; Melvin Mahoney #1, Docket No. CI63–528; D. L. Gainer d/b/a Gunn Stevens, et al., Docket No. CI63–529; P. B. Amick, et al., Docket No. CI63–530; W. H. Mosser, et al., d/b/a Emery Oil & Gas Company, Docket No. CI63–531; D. D. Roberts d/b/a Ball Oil Company, Docket No. CI63–532; Delbert Goff, et al., Docket No. CI63–535; Jack Hearrell, et al., Docket No. CI63–536; Petroleum Promotions, Inc., Docket No. CI63–539; W. H. Mossor d/b/a Weston Oil & Gas Co., Docket No. CI63–540; Dreamer Oil Company, Docket No. CI63–541; Roy B. Rollins d/b/a M. M. Lilly, Jr., et al., Docket No. CI63–542; Worldwide Petroleum Corporation, Docket No. CI63–543;

Maxwell D. Simmons (Operator), et al., Docket No. CI63–544; R. M. Kuhn d/b/a Moore Gas Company, Docket No. CI63–552; Biogco, Inc., Docket No. CI63–553; Sunray DX Oil Company, Docket No. CI63–554; Carrl Oil, Docket No. CI63–555; Lloyd G. Jackson, et al. d/b/a Orbit Producing Company, Docket No. CI63–562; R. R. Sirkle, Trustee, Docket No. CI63–565; C. A. Stricklin, et al., Docket No. CI63–568; John Franks (Operator), et al., Docket No. CI63–569; Ray Blackwell, et al., Docket No. CI63–571.

Take notice that each of the above applicants has filed an application pursuant to section 7(c) of the Natural Gas Act for a Certificate of Public Convenience and Necessity or a petition to amend an outstanding certificate, all involving the sale and delivery of natural gas in interstate commerce for resale all as more fully described in the respective applications including amendments thereto and petitions to amend which are on file with the Commission and open to public inspection.

The applicants herein produced and proposes to initiate, add or delete the sale of natural gas as indicated below:

Docket No. and date filed	Purchaser	Field and location	Price per Mcf	Pressure base
(C[1]) G–4324 9–21–62	United Gas Pipeline Co	Monroe—Union, et al. Parishes, La.	7.0	15.025
(C[1]) G–4824 7–26–62	Cities Service Gas Co	Hugoton—Stevens County, Kans.	12.0	14.65
(C[1]) G–5412 [1] 8–20–59	Hope Natural Gas Co	McKim District, Pleasants County, W. Va.	20.0	15.325
(C[1]) G–6307 9–4–62	Trunkline Gas Co	Orange Grove and Paisano—Jim Wells County, Tex.	13.3556	14.65
(C[1]) G–7173 7–16–62	Arkansas Louisiana Gas Co	Geems Bayou—Caddo Parish, La.	8.1980	15.025
(C[1]) G–8391 8–23–62	Hope Natural Gas Co	Eagle District—Harrison County, W. Va.	25.0	15.325
(C[1]) G–8404 [2] 5–11–61	do	Lee District, Calhoun County, W. Va.	20.0	15.325
(C[1]) G–8832 [3] 9–7–62	Trunkline Gas Co	Alfred Area, Jim Wells County, Tex.	13.3556	----------
(C[1]) G–8906 [4] 8–24–62	Cities Service Gas Co	Acreage in Barber County, Kans.	----------	----------
(C[1]) G–9670 [5] 11–23–59	Arkansas Louisiana Gas Co	Simsboro—Lincoln Parish, La.	13.254	15.025
(C[1]) G–11949 [6] 9–18–62	El Paso Natural Gas Co	Pegasus Plant—Midland and Upton Counties, Tex.	17.2295	14.65
(C[1]) G–13746 [7] 3–21–62	Transcontinental Gas Pipe Line Corp.	Off Shore—Cameron, St. Mary, and Terrebonne, Parishes, La.	----------	----------
(C[1]) G–15392 7–26–62	Tennessee Gas Transmission Co.	Lick Branch—San Jacinto and Liberty Counties, Tex.	14.6	14.65
(C[1]) G–16139 8–6–62 [8] 8–20–62 [9]	Transwestern Pipeline Co	Various Counties R.R. District No. 10, Tex.	----------	----------
(C[1]) G–16218 6–19–62 [10] 8–20–62 [9]	do	Acreage in Beaver and Harper Counties, Okla.	----------	----------
(C[1]) G–16524 9–27–62	El Paso Natural Gas Co	Midland Farms West Unit—Andrews County, Tex.	13.6823	14.65
(A) G–17012 [11]	do	Spraberry Trend—Glasscock, Midland, Regan, and Upton Counties, Tex.	([12])	----------
(C[1]) G–17460 9–20–62	do	Ignacio Blanco—La Plate County, Colo.	13.0	15.025
(A) G–17482 [13]	Michigan-Wisconsin Pipe Line Co.	Laverne—Harper County, Okla.	17.0	14.65

Filing Code
A—Initial service.
C[1]—Petition to add acreage.
C[2]—Petition to delete acreage.

See footnotes at end of table.

Docket No. and date filed	Purchaser	Field and location	Price per Mcf	Pressure base
(C[1]) G-17559 9-18-62 9-20-62 10-23-62	El Paso Natural Gas Co	San Juan Basin, San Juan County, N. Mex.	13.0	15.025
(C) G-18050 [13] 9-17-62	do	Langlie-Mattix—Lea County, N. Mex.	(44)	
(C) G-18051 [13] 9-17-62	do	do	(44)	
(C[1]) G-18141 [14] 9-20-62	do	Acreage in Rio Arriba County, N. Mex.	13.0	15.025
(C[1]) G-18335 10-8-62	Arkansas Louisiana Gas Co	Simsboro—Lincoln Parish, La	13.703	15.025
(C[1]) G-18785 [15] 6-4-62	El Paso Natural Gas Co	Spraberry Trend—Midland County, Tex.	10.096	14.65
(C[1]) CI61-151 10-4-62	Arkansas Louisiana Gas Co	Manziel—Wood County, Tex	12.55406	14.65
(C[1]) CI61-299 10-3-62	El Paso Natural Gas Co	Dakota Formation—San Juan County, N. Mex.	13.0	15.025
(C[1]) CI61-807 10-24-62	Valley Gas Transmission, Inc.	Orcones—Duval County, Tex	14.0	14.65
(C[1]) CI61-854 9-21-62	Hope Natural Gas Co	Center District, Calhoun County, W. Va.	25.0	15.325
(A) CI61-919	El Paso Natural Gas Co	Jalmat and Langlie Mattix—Lea County, N. Mex.	15.5599 6.5	14.65
(A) CI61-1157	do	do	15.5599 6.5	14.65
(C[1]) CI61-1206 9-17-62	do	Dakota—San Juan County, N. Mex.	13.0	15.025
(C[1]) CI61-1430 9-17-62	do	Ellenburger—Terrell County, Tex.	16.0	14.65
(C[1]) CI61-1622 [16] 10-24-61	Equitable Gas Co	Troy District, Gilmer County, W. Va.	25.0	15.325
(C[1]) CI61-1778 5-14-62	Northern Natural Gas Co	Hansford Morrow—Hansford and Ochiltree Counties, Tex.	17.0	14.65
(C[1]) CI61-1806 10-24-62	El Paso Natural Gas Co	San Juan Basin, San Juan County, N. Mex.	13.0	15.025
(A) CI62-384 [17]	Hope Natural Gas Co	Center District, Gilmer County, W. Va.	20.0	15.325
(C[1]) CI62-579 [18] 10-4-62	El Paso Natural Gas Co	Acreage in Rio Arriba County, N. Mex.	13.0	15.025
(A) CI62-582	United Gas Pipe Line Co	Gibson-Terrebonne Parish, La	20.25	15.025
(C[1]) CI62-597 8-30-62	Equitable Gas Co	Meade District, Upshur County, W. Va.	25.0	15.325
(C[1]) CI62-604 8-29-62	do	do	25.0	15.325
(A) CI62-649 [19]	Hope Natural Gas Co	Cass District, Monongalia County, W. Va.	22.5	15.325
(C[1]) CI62-664 9-17-62	do	Freeman's Creek District, Lewis County, W. Va.	25.0	15.325
(A) CI62-675	El Paso Natural Gas Co	Spraberry Trend—Regan County, Tex.	14.12	14.65
(C[1]) CI62-907 10-29-62	Hope Natural Gas Co	Collins District, Lewis County, W. Va.	25.0	15.325
(A) CI62-953	Rio Sabine, Inc	Carthage—Panola County, Tex	11.7438	14.65
(C[1]) CI62-1067 9-14-62	Cities Service Gas Co	Perry—Noble County, Okla	11.0	14.65
(A) CI62-1075	United Gas Pipe Line Co	Pistol Ridge—Pearl River County, Miss.	20.0	15.025
(A) CI62-1277 [20]	Tennessee Gas Transmission Co.	Carthage, Panola County, Tex		
(A) CI62-1298	Cities Service Gas Co	Rhodes—Barber County, Kans	20.0	14.65
(C[1]) CI62-1378 [21] 8-28-62	Kansas-Nebraska Natural Gas Co., Inc.	Riverside—Weld County, Colo	12.0	15.025
CI63-1	Colorado Interstate Ser. Co	Mocane-Beaver County, Okla	17.0	14.65
CI63-33 [22]	Tennessee Gas Transmission Co.	Farenthold—Jim Wells and Nueces County, Tex.	17.02416	14.65
CI63-76	Colorado Interstate Gas Co	West Kansas—Haskell County, Kans.	16.0	16.65
CI63-125 [23]	Northern Natural Gas Co	East Camrick—Beaver County, Okla.	16.5	14.65
CI63-126 [24]	Natural Gas Pipeline Co. of America.	S.E. Camrick—Beaver County, Okla.	16.8	14.65
CI63-169	Texas Eastern Transmission Corp.	W. Bryceland—Bienville Parish, La.	15.211	15.025
CI63-240 [25]	Northern Natural Gas Co	Hugoton—Seward County, Kans.	12.0	14.65
CI63-254	Colorado Interstate Gas Co	Mocane—Beaver County, Okla	17.0	14.65
CI63-257	Panhandle Eastern Pipe Line Co.	Hansford—Hansford County, Tex	17.0	14.65
CI63-263 [26]	Michigan-Wisconsin Pipe Line Co.	Laverne—Harper County, Okla	17.0	14.65
CI63-292 [27]	Arkansas Louisiana Gas Co	E. Kremlin—Garfield County, Okla.	11.0	14.65
CI63-293 [27]	Panhandle Eastern Pipe Line Co.	N.E. Seiling—Dewey and Major Counties, Okla.	15.0	14.65
CI63-306	Hope Natural Gas Co	Glenville District, Gilmer County, W. Va.	25.0	15.325
CI63-307	do	Union District, Ritchie County, W. Va.	25.0	15.325
CI63-308	do	Washington District, Calhoun County, W. Va.	25.0	15.325
CI63-309	do	Freeman's Creek—Lewis County, W. Va.	25.0	15.325
CI63-310	Equitable Gas Co	do	25.0	15.325
CI63-311	Arkansas Louisiana Gas Co	Cheniere Brake—Ouachita Parish, La.	17.0	15.025
CI63-319	Hope Natural Gas Co	Freeman's Creek—Lewis County, W. Va.	25.0	15.325
CI63-320	do	Warren District, Upshur County, W. Va.	25.0	15.325
CI63-321	do	Troy District, Gilmer County, W. Va.	25.0	15.325
CI63-322	do	Troy District, Gilmer County, W. Va.	25.0	15.325
CI63-323	do	Sherman District, Calhoun County, W. Va.	25.0	15.325
CI63-324	do	New Milton District, Doddridge County, W. Va.	25.0	15.325
CI63-325	Ohio Fuel Gas Co	Lowell—Washington County, W. Va.	24.0	15.325
CI63-329	Hope Natural Gas Co	Murphy District, Ritchie County, W. Va.	25.0	15.325
CI63-330	do	Spencer District, Roane County, W. Va.	25.0	15.325
CI63-331	do	Clay District, Ritchie County, W. Va.	25.0	15.325
CI63-332	Equitable Gas Co	Glenville District, Gilmer County, W. Va.	25.0	15.325
CI63-333	do	Glenville District, Gilmer County, W. Va.	25.0	15.325
CI63-335	Northern Natural Gas Co	Yater—Pecos County, Tex	14.0	14.65
CI63-342 [28]	Trunkline Gas Co	Lakeside—Cameron Parish, La	18.3	15.025
CI63-343	Arkansas Louisiana Gas Co	Cheniere Brake—Ouachita Parish, La.	17.0	15.025
CI63-347	Northern Natural Gas Co	Acreage in Ochiltree County, Tex., and Beaver County, Okla.	17.0	14.65
CI63-348	Rio Sabine, Inc	Simpson Lake—Caddo Parish, La.	8.0	15.025
CI63-349	Panhandle Eastern Pipeline Co,	S. Kismet—Seward County, Kans.	14.0 16.0	14.65
CI63-350	Hope Natural Gas Co	Washington District, Calhoun County, W. Va.	25.0	15.325
CI63-351	Equitable Gas Co	DeKalb District, Gilmer County, W. Va.	25.0	15.325
CI63-352 [29]	Cumberland and Alleghany Gas Co.	Buchannon and Meade Districts, Upshur County, W. Va.	20.0	15.325
CI63-355	El Paso Natural Gas Co	San Juan Basin, San Juan County, N. Mex.	13.0	15.025
CI63-357	Lone Star Gas Co	Henderson—Rusk County, Tex	14.49	14.65
CI63-358	El Paso Natural Gas Co	Spraberry Trend—Reagan County, Tex.	16.0	14.65
CI63-359	Texas Eastern Transmission Corp.	Pheasant—Matagorda County, Tex.	15.0	14.65
CI63-360	Lone Star Gas Co	Show-Vel-Tum—Carter County, Okla.	15.0	14.65
CI63-362 [21]	Colorado Interstate Gas Co	Koenig Lease—Haskell County, Kans.	15.0	14.65
CI63-363	Northern Natural Gas Co	Como Area—Beaver County, Okla.	17.0	14.65
CI63-364	Cumberland and Alleghany Gas Co.	Buchannon District, Upshur County, W. Va.	25.0	15.325
CI63-365	Cities Service Gas Co	R.R. District No. 10—Carson County, Tex.	12.0	14.65
CI63-367 [29]	Hope Natural Gas Co	Troy District, Gilmer County, W. Va.	20.0	15.325
CI63-369 [28]	Tennessee Gas Transmission Co.	W. Magnolia City—Jim Wells County, Tex.	17.24347	14.65

Filing Code
A—Initial service.
C[1]—Petition to add acreage.
C[2]—Petition to delete acreage.

See footnotes at end of table.

See footnotes at end of table.

Docket No. and date filed	Purchaser	Field and location	Price per Mcf	Pressure base
CI63-372 [14]	Texas Eastern Transmission Corp.	Bernard Prairie—Wharton County, Tex.	14.4	14.65
CI63-373	United Fuel Gas Co	Smithfield District, Roane County, W. Va.	25.0	15.325
CI63-374	Panhandle Eastern Pipeline Co.	Mohler—Meade County, Kans.	16.0	14.65
CI63-375	El Paso Natural Gas Co	Acreage in Rio Arriba County, N. Mex.	13.0	15.025
CI63-376	Hope Natural Gas Co	Washington District, Calhoun County, W. Va.	25.0	15.325
CI63-382 [11]	Kansas-Nebraska Natural Gas Co., Inc.	Darby Creek—Logan County, Colo.	8.0	16.4
CI63-384	El Paso Natural Gas Co	Spraberry Trend—Reagan County, Tex.	16.0	14.65
CI63-385	do	do	16.0	14.65
CI63-386	Equitable Gas Co	Central District, Doddridge County, W. Va.	25.0	15.325
CI63-391	El Paso Natural Gas Co	Dollarhide Queen—Lee County, N. Mex.	9.0	14.65
CI63-395	West Lake Natural Gasoline Co.	Nena Lucia—Nolan County, Tex.	5.5	14.65
CI63-396	Cities Service Gas Co	Acreage in Harper County, Kans.	13.0	14.65
CI63-397	Lone Star Gas Co	Stage Stand Southeast—Stephens Co., Okla.	15.0	14.65
CI63-398	Cities Service Gas Co	Acreage in Barber County, Kans.	13.0	14.65
CI63-400	Panhandle Eastern Pipe Line Co.	S. Kismet—Seward County, Kans.	14.0 16.0	14.65
CI63-404	United Gas Pipeline Co	Acreage in Webster Parish, La.	13.55076	15.025
CI63-408	South Penn Natural Gas Co	Burning Springs District, Wirt County, W. Va.	12.0	15.325
CI63-411	Northern Natural Gas Co	Mocane-Laverne—Beaver County, Okla.	17.0	14.65
CI63-414	Cities Service Gas Co	Eureka—Grant County, Okla.	13.0	14.65
CI63-415	Panhandle Eastern Pipe Line Co.	Wil—Edwards County, Kans.	15.0	14.65
CI63-418	Equitable Gas Co	Buchannon and Warren Districts, Upshur County and Hacker's Creek District, Lewis County, W. Va.	27.5	15.325
CI63-422	do	Meade and Buchannon Districts, Upshur County, W. Va.	25.[illegible]	15.325
CI63-426	Arkansas Louisiana Gas Co	Cheniere Brake—Ouachita Parish, La.	18.3	15.025
CI63-428	Natural Gas Pipeline Co. of America.	Camrick Southeast Pool—Beaver County, Okla.	17.0	14.65
CI63-429	do	do	17.0	14.65
CI63-431	Northern Natural Gas Co	Gate Area—Beaver County, Okla.	17.0	14.65
CI63-433	Arkansas Louisiana Gas Co	Cheniere Brake—Ouachita Parish, La.	18.33	15.025
CI63-435 [26]	El Paso Natural Gas Co	San Juan Basin, San Juan County, N. Mex.	11.0	15.025
CI63-436 [27]	do	do	13.0	15.025
CI63-438	Cumberland and Allegheny Gas Co.	Banks District, Upshur County, W. Va.	25.0	15.325
CI63-442	Northern Natural Gas Co	Elwood—Beaver County, Okla.	17.0	14.65
CI63-443	do	do	17.0	14.65
CI63-444	Kansas-Nebraska Natural Gas Co., Inc.	Camrick—Beaver County, Okla.	17.0	14.65
CI63-445 [28]	Hope Natural Gas Co	Sardis District, Harrison County, W. Va.	20.0	15.325
CI63-446 [28]	do	Grant District, Doddridge County, W. Va.	20.0	15.325
CI63-449	United Fuel Gas Co	Cote Blanche Island—St. Mary Parish, La.	20.7	15.025
CI63-452	Equitable Gas Co	West Union District, Doddridge County, W. Va.	25.0	15.325
CI63-455 [29]	United Gas Pipe Line Co	Duck Lake—St. Martin's Parish, La.	14.25	15.025
CI63-467	Arkansas Louisiana Gas Co	Chenlere Creek—Ouachita Parish, La.	18.333	15.025
CI63-469	Southern Natural Gas Co	South Baratorial—Jefferson Parish, La.	14.5	15.025
CI63-472	Texas Eastern Transmission Corp.	Appling—Calhoun County, Tex.	12.5	14.65
CI63-475 [14]	Hope Natural Gas Co	McKim District, Pleasants County, W. Va.	20.0	15.325
CI63-482 [13]	El Paso Natural Gas Co	Aneth—San Juan County, N. Mex.	17.7	15.025
CI63-499	Northern Natural Gas Co	Balpre—Edwards County, Kans.	13.5	14.65
CI63-502	do	South Logan—Beaver County, Okla.	17.0	14.65
CI63-523	Transcontinental Gas Pipe Line Corp.	Live Oak—Vermilion Parish, La.	20.625	15.025
CI63-528	Hope Natural Gas Co	Grant District, Ritchie County, W. Va.	25.0	15.325
CI63-529	do	Sheridan District, Calhoun County, W. Va.	25.0	15.325
CI63-530	do	Spincer District, Roane County, W. Va.	25.0	15.325
CI63-531	do	Murphy District, Ritchie County, W. Va.	25.0	15.325
CI63-532	do	Union District, Ritchie County, W. Va.	25.0	15.325
CI63-535	do	Glenville District, Gilmer County, W. Va.	25.0	15.325
CI63-536	do	Hacker's Creek District, Lewis County, W. Va.	25.0	15.325
CI63-539	do	Troy District, Gilmer County, W. Va.	25.0	14.65
CI63-540	do	Hacker's Creek District, Lewis County, W. Va.	25.0	15.325
CI63-541	do	Central District, Doddridge County, W. Va.	25.0	15.325
CI63-542	do	Hacker's Creek and Skin Creek Districts, Lewis County, W. Va.	25.0	15.325
CI63-543	do	Greenbrier District, Doddridge County, W. Va.	25.0	15.325
CI63-544	Lone Star Gas Co	Danville—Gregg and Rusk Counties, Tex.	14.49	14.65
CI63-552	Hope Natural Gas Co	Glenville District, Gilmer County, W. Va.	25.0	15.325
CI63-553	do	do	25.0	15.325
CI63-554	Kansas - Nebraska Natural Gas Co., Inc.	Minto—Logan County, Colo.	10.0	16.4
CI63-555	Texas Eastern Transmission Corp.	Dallas Husky—Goliad County, Tex.	11.8	14.65
CI63-562	Hope Natural Gas Co	Eagle District, Harrison County, W. Va.	25.0	15.325
CI63-565	Columbian Fuel Corp	Acreage in Floyd County, Ky.	18.0	15.325
CI63-568	Hope Natural Gas Co	Union District, Ritchie County, W. Va.	25.0	15.325
CI63-569	Texas Gas Transmission Corp.	Terryville—Lincoln Parish, La.	16.5	15.025
CI63-571	Equitable Gas Co	DeKalb District, Gilmer County, W. Va.	25.0	15.325

Filing Code
A—Initial service.
C[1]—Petition to add acreage.
C[2]—Petition to delete acreage.

[1] Filed as application in Docket No. G-19285.
[2] Filed as application in Docket No. CI61-1632.
[3] Filed as application in Docket No. CI63-327.
[4] Acreage in question has ceased to produce.
[5] Filed as application in Docket No. G-20237.
[6] Additional interest acquired from Michel T. Halbouty.
[7] Assigned to Oscar Drilling and Exploration Co., et al.
[8] Covers deletion of casinghead gas.
[9] Covers expired leases and unprofitable acreage.
[10] Covers acreage assigned to Cities Service Oil Co., deletion of nonproductive acreage and covers substitution of acreage (delete 321 acres and add 200 acres).
[11] To continue service heretofore authorized in G-4418.
[12] Application filed in CI63-263 will be treated as amendment to certificate in G-17482.
[13] Filed as application in Docket No. CI63-420 to reflect acquisition by Sohio Petroleum Co. of interest owned by Neville G. Penrose, Inc.
[14] Filed as application in CI63-375 to add acreage in G-18141.
[15] Acreage acquired from The Superior Oil Co., heretofore authorized in G-6163.
[16] Filed as application in Docket No. CI62-422.
[17] To continue service heretofore authorized in Docket No. G-8162.
[18] To render service from acreage included in authorization in Docket No. G-17206.
[19] To continue service heretofore authorized in Docket No. G-9333.
[20] Lyons & Logan propose to abandon the sale to Tennessee due to insufficient delivery pressure. C. H. Lyon, Sr., et al. seek authority to render low pressure service in Docket No. CI62-953 as indicated herein.
[21] The subject service is a portion of that heretofore authorized in Docket No. G-19294.
[22] To continue service authorized in G-4733.
[23] To continue service authorized in CI61-1134.
[24] To continue service authorized in CI60-420.
[25] To continue service authorized in G-12560.
[26] To render service proposed in G-17482 herein.
[27] To continue service authorized in G-19500.
[28] To continue service authorized in CI60-813.

[29] To continue service authorized in G–4410.
[30] To continue service authorized in G–5081.
[31] To continue service authorized in G–18395.
[32] To continue service authorized in G–5628.
[33] To continue service authorized in CI60–727.
[34] To continue service authorized in G–15877.
[35] To continue service authorized in G–12922.
[36] To continue service authorized in CI62–517.
[37] To continue service authorized in CI–62–503.
[38] To continue service authorized in G–18176.
[39] To continue service authorized in G–8189.
[40] To continue service authorized in G–8732.
[41] To continue service authorized in G–8349.
[42] To continue service authorized in CI62–608.
[43] Heretofore authorized in G–4418.
[44] No change.

Each Applicant in this consolidated proceeding has filed a related rate schedule for the proposed service, as indicated in the foregoing tabulation.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

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 on February 14, 1963, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications and petitions: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 24, 1963. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made: *Provided, further*, That if a protest, petition to intervene or notice of intervention be timely filed in any of the above dockets, the above hearing date as to that docket will be vacated and a new date for hearing will be fixed as provided in § 1.20 (m) (2) of the Commission's rules of practice and procedure.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63–8; Filed, Jan. 4, 1963; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 62–56]

NEW LONDON HARBOR CLOSED TO NAVIGATION DURING LAUNCHING OF "USS NATHAN HALE"

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521) and Executive Order 10173, as amended by Executive Orders 10277 and 10352, I hereby affirm for publication in the FEDERAL REGISTER the order of R. M. Ross, Rear Admiral, United States Coast Guard, Commander, Third Coast Guard District, who has exercised authority as Captain of the Port for New London, such order reading as follows:

NEW LONDON HARBOR SPECIAL NOTICE

Pursuant to the request of the Commander, Submarine Force, U.S. Atlantic Fleet, U.S. Navy, and acting under the authority of the Act of June 15, 1917 (40 Stat. 220) as amended, and the regulations in Part 6, Chapter I, Title 33, Code of Federal Regulations, I hereby order that the waters of New London Harbor, New London, Connecticut, between the latitudes of 41 degrees 20 min. 32 sec. North and 41 degrees 21 min. 03 sec. North, be closed to all persons and vessels on Saturday, January 12, 1963, from 10:45 a.m., e.s.t., until the "USS Nathan Hale" is made fast to the wetdock at the Electric Boat Division of the General Dynamics Corporation, Groton, Connecticut. The launching of the "USS Nathan Hale" is scheduled for 11:45 a.m., e.s.t., on Saturday, January 12, 1963. The Northern and Southern limits of this area will be marked by ranges located on the eastern shore. Coast Guard vessels will be anchored off these ranges between the shore line and the main ship channel.

If the "USS Nathan Hale" is not launched on January 12, 1963, it will probably be launched at or about 12:45 p.m., e.s.t., on Sunday, January 13, 1963. In this event I hereby order that the waters, of New London Harbor, New London, Connecticut, as described above, be closed on January 13, 1963, from 11:45 a.m., e.s.t., until the "USS Nathan Hale" is made fast to the wetdock at the Electric Boat Division of the General Dynamics Corporation, Groton, Connecticut.

All persons and vessels are directed to remain outside of the closed area. This order will be enforced by the Captain of the Port, New London, Connecticut, and by U.S. Coast Guard vessels under his command. The aid of other Federal, State and municipal agencies may be enlisted to assist in the enforcement of this order.

Penalties for violation of the above order: Section 2, Title II of the Act of June 15, 1917, as amended, 50 U.S.C. 192, provides as follows: If any owner, agent, master, officer or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title * * * Or if any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than $10,000.

Dated: December 28, 1962.

[SEAL] E. J. ROLAND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 63–103; Filed, Jan. 4, 1963; 8:47 a.m.]

Office of the Secretary

[Treasury Department Order No. 165–14]

[T.D. 55796]

COMMISSIONER OF CUSTOMS

Delegation of Functions

By virtue of the authority vested in the Secretary of the Treasury by Reorganization Plan No. 26 of 1950 (3 CFR, 1950 Supp. Ch. III), and pursuant to the authorization given to me by Treasury Department Order No. 190; Rev. 1 (26 F.R. 11877) there are hereby transferred to the Commissioner of Customs all the functions of the Secretary of the Treasury under section 305 of Public Law No. 87–793, approved October 11, 1962 (39 U.S.C. 4008).

The functions hereby transferred may be delegated by the Commissioner of Customs to subordinates in such manner as he shall direct.

Dated: January 2, 1963.

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 63–141; Filed, Jan. 4, 1963; 8:47 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

REGIONAL DIRECTORS

Delegation of Authorities and Functions for Administration of the Civil Defense Programs of Contributions and of Donation of Surplus Property

References: (a) E.O. 10952, Assigning Civil Defense Responsibilities to the Secretary of Defense and Others, filed July 21, 1961 (26 F.R. 6577); (b) Organizational Statement, Assistant Secretary of Defense (Civil Defense), filed September 13, 1961 (26 F.R. 8604); (c) Civil Defense Functions Transferred to Secretary of Defense, Interim Administration, filed August 22, 1961 (26 F.R. 7840); (d) Delegation of Authority for Operation of the Program for Donation of Surplus Property for Civil Defense Purposes, filed December 22, 1961 (26 F.R. 12305); (e) Delegation of Authority to Make Contributions to the States for Personnel and Administrative Expenses, dated August 3, 1961 (OCD Administrative Instruction No. 2); (f) Delegation of Authority to OCDM Regional Directors, dated August 4, 1961 (OCD Administrative Instruction No. 6).

The following redelegations of authorities and functions are hereby approved:

1. Pursuant to the authorities vested in the Assistant Secretary of Defense (Civil Defense) under reference (b) hereof, there are redelegated to the Regional Directors, Office of Civil Defense, to be exercised and performed with regard to their respective regions subject to the direction and control of the Assistant Secretary of Defense (Civil Defense) and in accordance with Department of Defense, Office of Civil Defense, policies, directives, and instructions, including regulations, man-

uals, and other administrative issuances, the following authorities and functions:

(a) To approve, disapprove, modify, and amend requests from the States for financial contributions for civil defense equipment pursuant to Section 201(i) of the Federal Civil Defense Act of 1950, as amended.

(b) To approve, disapprove, modify, and amend requests from the States for financial contributions for civil defense personnel and administrative expenses pursuant to Section 205 of the Federal Civil Defense Act of 1950, as amended.

(c) To determine, on an individual case basis, Federal surplus property having an original single item acquisition cost of less than Fifty Thousand Dollars ($50,000), which does not so appear in the representative lists of categories of property (presently known as the "U&N" list and contained in Office of Civil Defense manual AM-7) to be usable and necessary for the civil defense program of a specific proposed donee for the purposes of donation under the Federal Property and Administrative Services Act of 1949, as amended.

(d) To give written authorization to donees, on an individual case basis, for the disposal of surplus property, donated for civil defense purposes under the Federal Property and Administrative Services Act of 1949, as amended, and having an original single item acquisition cost of Two Thousand Five Hundred Dollars ($2,500) or more but less than Fifty Thousand Dollars ($50,000), in advance of the time limitations set forth in the Office of Civil Defense Regulations contained in Title 32, Chapter I, Subchapter G, Part 222—Surplus Property, and to prescribe the terms and conditions of each such disposal.

2. The authorities and functions herein delegated cannot be redelegated. However, without being relieved of his responsibility therefor, each Regional Director is authorized to exercise and perform any of the above authorities and functions through such personnel of his region as he may in writing designate.

3. To the extent they pertain to Regional Directors, references (c), (d), (e), and (f) are hereby revoked.

4. This delegation of authorities and functions is effective immediately.

Dated: December 31, 1962.

STEUART L. PITTMAN,
Assistant Secretary of Defense (Civil Defense).

[F.R. Doc. 63-91; Filed, Jan. 4, 1963; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Programs

[File 23-774]

OTTO POESCHL AND ARGA WARENHANDELSGESELLSCHAFT

Extension of Temporary Order Denying Export Privileges

In the matter of Otto Poeschl, individually and doing business as Arga Warenhandelsgesellschaft, Traklgasse 19, Stiege 23, Vienna VI, Austria, Respondents, File 23-774.

A Temporary Order was issued in this matter on October 3, 1962, for a period of 90 days. This order was issued in connection with an investigation instituted by the Investigations Staff, Bureau of International Programs, in the above named respondents' engagement in a series of schemes and other improper conduct to procure commodities of United States origin for transshipment to unauthorized destinations in violation of the United States Export Control Law and the regulations issued thereunder.

The Director of the Investigations Staff, Bureau of International Programs, has applied, under § 382.11 of the Export Control Regulations, for an extension of the temporary order until the completion of the administrative compliance proceedings.

This matter has been considered and it has been determined that the present temporary order should be extended until the final disposition of administrative compliance or other proceedings involving the said respondents, since such will be in the public interest and necessary for effective enforcement of the law. I do so find. *It is therefore ordered:*

(1) The respondents, their affiliates, and their agents and employees, are hereby denied all privileges of participating directly or indirectly in any manner, form, or capacity in any exportation of any commodity or technical data from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing, participation in an exportation shall include and prohibit respondents' participation (a) as a party to or representative of a party to any validated export license application; (b) in the obtaining or using of any validated or general export license or other export control document; (c) in the receiving, ordering, buying, selling, delivering, or disposing of any commodities and technical data in whole or in part exported or to be exported from the United States; and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States.

(2) Such denial of export privileges shall apply not only to each of said respondents, but also to any other person, firm, corporation, or business organization with which any respondent may be now or hereafter related by ownership, affiliation, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

(3) This order shall take effect forthwith and shall remain in effect until the completion of any administrative compliance or other proceedings that may be initiated, unless sooner vacated or extended.

(4) No person, firm, corporation, or other business organization, within the United States or elsewhere, and whether or not engaged in trade relating to exports from the United States, without prior disclosure of the facts to, and specific authorization from the Bureau of International Programs shall directly or indirectly in any manner, form, or capacity (a) apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation of commodities or technical data from the United States, or (b) order, receive, buy, sell, use, deliver, dispose of, finance, transport, forward, or otherwise service or participate in an exportation from the United States, or in a re-exportation of any commodity or technical data exported from the United States, with respect to which any of the persons or companies within the scope of paragraphs (1) and (2) hereof may receive any benefit or have any interest or participation of any kind or nature, direct or indirect.

(5) A certified copy of this order shall be served upon the respondents.

(6) In accordance with the provisions of Section 382.11(c) of the Export Regulations, any respondent may move at any time to vacate or modify this Temporary Denial Order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request oral hearing thereon, which, if requested, shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

Dated: December 28, 1962.

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

[F.R. Doc. 63-92; Filed, Jan. 4, 1963; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 14183]

BOAC-CUNARD LIMITED

Notice of Change of Time of Prehearing Conference

In the matter of the application of BOAC-Cunard Limited for a foreign air carrier permit, pursuant to section 402 of the Federal Aviation Act of 1958, as amended.

Pursuant to request, prehearing conference in the above-entitled proceeding, now assigned for January 16, 1963, at 10:00 a.m., is hereby rescheduled for 2:30 p.m., e.s.t., January 16, 1963, in Room 725, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., December 31, 1962.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 63-96; Filed, Jan. 4, 1963; 8:46 a.m.]

[Docket No. 13292]

SERVICE TO HOT SPRINGS, VA.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be

held on January 22, 1963, at 10:00 a.m., e.s.t., at the Homestead Hotel, Hot Springs, Va., before Examiner James S. Keith.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on August 3, 1962, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., December 31, 1962.

[SEAL] JAMES S. KEITH,
Hearing Examiner.

[F.R. Doc. 63-97; Filed, Jan. 4, 1963; 8:46 a.m.]

[Docket No. 10067; Order No. E-19156]

RIDDLE AIRLINES, INC.

Order Granting Postponement of Inauguration of Service

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 31st day of December 1962, in the matter of the application for postponement of inauguration of service over its Route 120.

On December 4, 1962, by Order E-19061, the Board granted Riddle Airlines, Inc. (Riddle) the authority to postpone the inauguration and reinstitution of service over its domestic system, with the exception of New York-Miami, until December 31, 1962. The Order further stated that if Riddle failed to inaugurate service by January 1, 1963, an investigation would be instituted pursuant to section 401(f) to determine whether the carrier's certificate should cease to be effective, and that no further requests for postponement or suspension of service would be entertained.

On December 18, 1962, Riddle filed a petition requesting an additional postponement of inauguration of service for 90 days after January 1, 1963. The time allowed for filing answers expires January 7, 1963. On December 28, 1962, National Airlines, Inc. filed an answer opposing the additional postponement alleging that Riddle's financial plight and the question of inauguration of service cannot be resolved within the time requested, and that grant of the relief sought would precipitate further requests for postponement. The Board has decided to entertain the request and grant the carrier a further delay of 60 days. We recognize that answers to the petition may not yet be filed; however, the exigencies of the situation require that the Board act prior to the expiration of the authorized suspension or postponement. We shall entertain any timely filed answers, and our grant herein is subject to further consideration. The answer submitted by National does not show that further postponement would adversely affect National. The additional delay granted will be contingent also upon the carrier's meeting the requirements set forth below.

Our decision in Order E-19061 to institute a section 401(f) investigation in the event that service was not commenced by January 1, 1963 was predicated chiefly upon the carrier's prolonged delay in meeting its certificate responsibilities at various non-suspended points on its domestic route[1] in the face of repeated assurances that service would be inaugurated or reinstituted at these points.[2] The Board has been continually aware that Riddle's failure to perform the services authorized is attributable chiefly to its financial problems. However, in the absence of detailed reports from the carrier pertaining to its financial and operational plans, the Board has been handicapped in determining the question of further suspension and postponement. In issuing Order E-19061 the Board had come to the conclusion that a formal investigation would be necessary in order that a full resolution of the situation could be accomplished. However, the carrier has since informed the Board of new organizational changes, of efforts on its part to strengthen its financial condition, and of its plans to concentrate on the development of common carriage operations. In light of these recent developments we now feel that Riddle should be afforded a further opportunity to present its case to the Board and we believe that this can be accomplished outside the framework of a formal investigation. Therefore, we shall grant Riddle authority to continue the postponement of inauguration of service through March 1, 1963. We shall require Riddle to supply the Board with complete financial information, on or before January 30, 1963, relating to the carrier's entire operations as of December 31, 1962. This information is to include a profit and loss statement showing income and expense by type of service performed and a balance sheet as of the year ended December 31, 1962 with supporting schedules. In addition, Riddle will be required to supply sufficient self-explanatory information relating to expenditures and debt balances to indicate its future financial position. Riddle, by March 1, 1963, will be required to supply the Board with complete data relating to the inauguration of air service over its system. In the event of non-compliance with the foregoing requirements, an investigation to terminate Riddle's certificate will be instituted. On the other hand, if the carrier complies with this directive and submits detailed and meaningful information which justifies the withholding of formal action, we would be disposed to grant further relief provided such relief is commensurate with the needs of the shipping public and is consistent with the public interest.

Accordingly, it is ordered:

1. That Riddle be and it hereby is granted an extension of the postponement of the inauguration of service over its domestic system, except with respect to New York-Miami, until March 2, 1963;

2. That Riddle supply the Board with complete financial information, on or before January 30, 1963, relating to the carrier's entire operations as of December 31, 1962;

3. That Riddle supply the Board sufficient self-explanatory information relating to expenditures and debt balances to indicate its future financial position;

4. That Riddle supply the Board with complete data relating to the inauguration of air service over its domestic system on or before March 1, 1963; and

5. That this order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 63-98; Filed, Jan. 4, 1963; 8:47 a.m.]

[1] Philadelphia, Orlando, and New Orleans.
[2] Orders E-18184, E-18341, and E-18464.

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 2, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38092: *Fertilizer and fertilizer materials from southwestern territory.* Filed by Southwestern Freight Bureau, Agent (No. B-8319), for interested rail carriers. Rates on fertilizer and fertilizer materials, as described in the application, in carloads, from points in southwestern territory to points in southern territory, also central-eastern-southern border points.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 52 to Southwestern Freight Bureau tariff I.C.C. 4422.

FSA No. 38093: *Lumber and related articles to WTL territory.* Filed by Trans-Continental Freight Bureau, Agent (No. 396), for interested rail carriers. Rates on lumber and related articles, in carloads, from Livingston, Manhattan and White Sulphur Springs, Mont., to points in western trunk line territory.

Grounds for relief: Modified short-line distance formula.

Tariff: Supplement 118 to Trans-Continental Freight Bureau tariff I.C.C. 1581.

FSA No. 38094: *Starch and dextrine from Muscatine, Iowa.* Filed by Illinois Freight Association, Agent (No. 190), for interested rail carriers. Rates on starch and dextrine and related products, in carloads and tank-car loads, from Muscatine, Iowa to points in Florida, Georgia, North Carolina and South Carolina.

Grounds for relief: Import market competition.

Tariff: Supplement 43 to Illinois Freight Association tariff I.C.C. 979.

FSA No. 38095: *Rock salt to points in Minnesota.* Filed by Traffic Executive

Association-Eastern Railroads, Agent (ER No. 2648), for interested rail carriers. Rates on rock salt, crushed and screened, in bulk, in carloads, from Cleveland, Morton and Painesville, Ohio to Minneapolis, Minnesota Transfer and St. Paul, Minn.

Grounds for relief: Market competition.

Tariff: Supplement 23 to Traffic Executive Association-Eastern Railroads tariff I.C.C.—C–91.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 63–88; Filed, Jan. 4, 1963; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during January.