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TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

PART 52—PARTICULAR PRODUCTION CREDIT ASSOCIATIONS

STORAGE FACILITY LOANS GUARANTEED BY COMMODITY CREDIT CORPORATION

Section 52.2 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 52.2 *Loans guaranteed by Commodity Credit Corporation.* Upon authorization by its board of directors, an association in the First, Second, Third, Fourth, Fifth, or Eighth Farm Credit Districts may make loans to its members to finance the purchase or construction of storage facilities under agreements whereby the Commodity Credit Corporation will guarantee payment of such loans. Notwithstanding the regulations governing other loans made by the associations, loans so guaranteed may be made at such rates of interest, with such maturities, and upon such other terms and conditions as the Commodity Credit Corporation may prescribe.

(Sec. 23, 48 Stat. 261; 12 U. S. C. 1131g)

Promulgated by the Production Credit Corporations of Springfield, Baltimore, Columbia, Louisville, New Orleans, and Omaha with the approval of the Governor of the Farm Credit Administration.

Dated: May 29, 1950.

[SEAL] I. W. DUGGAN, *Governor.*

[F. R. Doc. 50-4793; Filed, June 2, 1950; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 333]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.440 *Lemon Regulation 333*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), 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 the quantity of such lemons which may be handled, 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 (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on May 31, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; 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

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FEDERAL REGISTER

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the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. S. t., June 4, 1950, and ending at 12:01 a. m., P. S. t., June 11, 1950, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 550 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

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

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 1st day of June 1950.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

DISTRICT NO. 2

Storage date: May 28, 1950

[12:01 a. m., June 4, 1950, to 12:01 a. m., June 18, 1950]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers, Inc., Corona	.307
American Fruit Growers, Inc., Fullerton	.868
American Fruit Growers, Inc., Upland	.156
Hazeltine Packing Co	1.517
Ventura Coastal Lemon Co	1.442
Ventura Pacific Co	2.097
Glendora Lemon Growers Association	2.209
La Verne Lemon Association	.740
La Habra Citrus Association	1.617
Yorba Linda Citrus Association	1.943
Escondido Lemon Association	8.174
Alta Loma Heights Citrus Association	.672
Etiwanda Citrus Fruit Association	.313
Mountain View Fruit Association	.358
Old Baldy Citrus Association	.599
San Dimas Lemon Association	2.161
Upland Lemon Growers Association	4.722
Central Lemon Association	1.137
Irvine Citrus Association	.647
Placentia Mutual Orange Association	1.042
Corona Citrus Association	.641
Corona Foothill Lemon Co	2.545
Jameson Co	.839
Arlington Heights Citrus Co	.984
College Heights Orange & Lemon Association	2.760
Chula Vista Citrus Association	1.209
El Cajon Valley Citrus Association	.076
Escondido Cooperative Citrus Association	.223
Fallbrook Citrus Association	1.826
Lemon Grove Citrus Association	.459

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Carpinteria Lemon Association	2.069
Carpinteria Mutual Citrus Association	2.534
Goleta Lemon Association	2.433
Johnston Fruit Co	3.777
North Whittier Heights Citrus Association	1.307
San Fernando Heights Lemon Association	2.561
Sierra Madre-Lamanda Citrus Association	2.283
Briggs Lemon Association	2.644
Culbertson Lemon Association	1.598
Fillmore Lemon Association	1.311
Oxnard Citrus Association	4.692
Rancho Sespe	.787
Santa Clara Lemon Association	8.013
Santa Paula Citrus Fruit Association	4.021
Saticoy Lemon Association	3.123
Seaboard Lemon Association	2.446
Somis Lemon Association	2.815
Ventura Citrus Association	1.112
Limoneira Co	3.229
Teague-McKevett Association	.946
East Whittier Citrus Association	.897
Leffingwell Rancho Lemon Association	1.042
Murphy Ranch Co	2.006
Whittier Citrus Association	.596
Chula Vista Mutual Lemon Association	.553
Index Mutual Association	.634
La Verne Cooperative Citrus Association	2.387
Orange Belt Fruit Distributors	1.128
Ventura County Orange & Lemon Association	2.504
Whittier Mutual Orange & Lemon Association	.195
Evans Brothers Packing Co	.001
Johnson, Fred	.022
Lorbeer, Carroll W. C	.018
San Antonio Orchard Co	.028
Sweet, L. G	.005

[F. R. Doc. 50-4824; Filed, June 2, 1950; 9:14 a. m.]

PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

LIMITATION OF SHIPMENTS

§ 957.305 *Regulation No. 5*—(a) *Findings.* (1) Pursuant to the provisions of Marketing Agreement No. 93 and Order No. 57, as amended (15 F. R. 311), regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 202, 707; 62 Stat. 1247; 63 Stat. 1051) and upon the basis of the recommendations and information submitted by the Idaho-Eastern Oregon Potato Committee established under said order, and upon other available information, it is hereby found that the limitation of shipments of such potatoes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impractical 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 in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) shipments of potatoes from the production area are now under way in substantial volume; (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by regulating the shipment of potatoes in the manner set forth below on and after the effective date hereinafter set forth; (iii) shipments of potatoes from the production area have been subject to regulation since the beginning of the current marketing season (Regulation No. 4, § 957.304, 15 F. R. 1101), and the regulation hereinafter set forth will continue the provisions of such prior regulation in effect for a period of 30 days; (iv) no special preparation will be required of handlers to comply with such continued regulation; and (v) the time intervening between the date information necessary for the issuance of such continued regulation became available and the time such regulation must become effective to effectuate the declared policy of the act is insufficient.

(b) *Order.* (1) During the period beginning June 1, 1950, to June 30, 1950, both dates inclusive, no handler shall ship potatoes of the Russet Burbank and Long White varieties unless (i) such potatoes are generally fairly clean (which means that 90 percent or more of the potatoes in any lot must be fairly clean), and (ii) unless such potatoes meet the requirements of the U. S. No. 2 or better grade, and are at least 2 inch minimum diameter or 4 ounce minimum weight, as such term, grades and sizes are defined in the U. S. Standards for Potatoes (14 F. R. 1955, 2161), including the tolerances set forth therein: *Provided,* That the aforesaid limitations shall not be applicable to (i) shipments of seed potatoes for use as seed, (ii) shipments of potatoes for export, (iii) shipments of potatoes for sale to the Federal Government under programs authorized by the Secretary, (iv) shipments of potatoes for canning, dehydration, or manufacture or conversion into starch, flour, meal, and alcohol, and (v) shipment of potatoes for livestock feed: *Provided further,* That each handler, prior to making special purpose shipments pursuant hereto, shall file an application with the committee to do so, shall have each of such shipments inspected and pay assessments in connection therewith, and for each shipment made pursuant to subdivisions (ii), (iv), and (v) of this subparagraph, shall furnish a copy of the bill of lading applicable thereto to the committee: *Provided further,* That each handler making shipments of potatoes pursuant to subdivision (ii) of this subparagraph shall include in his application applicable thereto, the export certificate number and enter such certificate number on the Federal-State inspection certificate and bill of lading applicable to such shipment, and that each application to ship potatoes pursuant to subdivisions (iv) and (v) of this subparagraph shall be accompanied by the applicant handler's certification and the buyer's certification that the potatoes to be shipped are to be used for the purpose stated in the application.

(2) The terms used in this section shall have the same meaning as when

used in Marketing Order No. 57, as amended (15 F. R. 311).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 31st day of May 1950.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 50-4794; Filed, June 1, 1950; 1:28 p. m.]

[Orange Reg. 330]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.476 *Orange Regulation 330*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, 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 (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on June 1, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; 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 oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 4, 1950, and ending at 12:01 a. m., P. s. t. June 11, 1950, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 1200 carloads;

(*c*) Prorate District No. 3: Unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as given to the respective term in § 966.107 of the current rules and regulations (14 F. R. 6588) contained in this part.

Orange Regulation 328 (7 CFR 966.474 15 F. R. 3081) fixes the sizes of designated oranges which may be handled during the aforesaid period.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 2d day of June 1950.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., d. s. t., June 4, 1950, to 12:01 a. m., d. s. t., June 11, 1950]

VALENCIA ORANGES

Prorate District No. 2

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Alta Loma	.1715
A. F. G. Corona	.0279
A. F. G. Fullerton	.7740
A. F. G. Orange	.3952
A. F. G. Riverside	.1878
A. F. G. San Juan Capistrano	.8594
A. F. G. Santa Paula	.5429
Eadington Fruit Co., Inc	4.5236
Hazeltine Packing Co	.4518
Placentia Pioneer Valencia Growers Association	.6637
Signal Fruit Association	.1200
Azusa Citrus Association	.5081
Damerel-Allison Co	.8764

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
Glendora Mutual Citrus Association	0.3563
Puente Mutual Citrus Association	.1714
Valencia Heights Orchard Association	.4011
Covina Citrus Association	1.0884
Covina Orange Growers	.6573
Glendora Citrus Association	.5216
Gold Buckle Association	.6490
La Verne Orange Association	.7859
Anaheim Citrus Fruit Association	.8125
Anaheim Valencia Orange Association	1.0063
Fullerton Mutual Orange Association	1.3629
La Habra Citrus Association	1.0800
Orange County Valencia Association	.2447
Orangethorpe Citrus Association	.0000
Yorba Linda Citrus Association	.7527
Escondido Orange Association	2.6459
Alta Loma Heights Citrus Association	.0761
Citrus Fruit Growers	.1550
Cucamonga Citrus Association	.1375
Etiwanda Citrus Fruit Association	.0421
Mountain View Fruit Association	.0379
Old Baldy Citrus Association	.1219
Rialto Heights Orange Association	.0632
Upland Citrus Association	.2983
Upland Heights Orange Association	.1325
Consolidated Orange Growers	1.5461
Frances Citrus Association	1.0775
Garden Grove Citrus Association	1.0213
Goldenwest Citrus Association, The	1.3771
Irvine Valencia Growers	2.8997
Olive Heights Citrus Association	1.7224
Santa Ana-Tustin Mutual Citrus Association	.8038
Santiago Orange Growers Association	4.0518
Tustin Hills Citrus Association	1.7722
Villa Park Orchards Association, The	1.5291
Bradford Bros., Inc	.6817
Placentia Cooperative Orange Association	.4428
Placentia Mutual Orange Association	2.3901
Placentia Orange Growers Association	1.5861
Yorba Orange Growers Association	.5780
Call Ranch	.0674
Corona Citrus Association	.6404
Jameson Co	.0693
Orange Heights Orange Association	.5905
Crafton Orange Growers Association	.5132
East Highlands Citrus Association	.1154
Fontana Citrus Association	.1206
Redlands Heights Groves	.3373
Redlands Orangedale Association	.2742
Break & Son, Allen	.0736
Bryn Mawr Fruit Growers Association	.1948
Mission Citrus Association	.2022
Redlands Cooperative Fruit Association	.4237
Redlands Orange Growers Association	.2533
Redlands Select Groves	.2490
Rialto Citrus Association	.2430
Rialto Orange Co	.2516
Southern Citrus Association	.2259
United Citrus Growers	.1793
Zilen Citrus Co	.0849
Andrews Bros. of Calif	.2361
Arlington Heights Citrus Co	.1332
Brown Estate, L. V. W	.1606
Gavilan Citrus Association	.1604

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Highgrove Fruit Association	0.0734
Krinard Packing Co	.3179
McDermont Fruit Co	.1905
Monte Vista Citrus Association	.2868
National Orange Co	.0398
Riverside Heights Orange Growers Association	.0722
Sierra Vista Packing Association	.0763
Victoria Avenue Citrus Association	.2200
Claremont Citrus Association	.1367
College Heights Orange & Lemon Association	.8667
Indian Hill Citrus Association	.2358
Pomona Fruit Growers Exchange	.3957
Walnut Fruit Growers Association	.5580
West Ontario Citrus Association	.3334
El Cajon Valley Citrus Association	.2472
Escondido Cooperative Citrus Association	.8346
San Dimas Orange Growers Association	.3458
Ball & Tweedy Association	.4534
Canoga Citrus Association	.8783
Covina Valley Orange Co	.0610
North Whittier Heights Citrus Association	.9690
San Fernando Fruit Growers Association	.7057
San Fernando Heights Orange Association	1.0833
Sierra Madre-Lamanda Citrus Association	.4601
Camarillo Citrus Association	1.3046
Fillmore Citrus Association	3.5958
Mupu Citrus Association	2.2179
Ojai Orange Association	.9296
Piru Citrus Association	1.8945
Rancho Sespe	.8949
Santa Paula Orange Association	1.0708
Tapo Citrus Association	1.0914
Ventura County Citrus Association	.2953
Limoneira Co	.4924
East Whittier Citrus Association	.3618
Murphy Ranch	.5765
Whittier Citrus Association	.4913
Whittier Select Citrus Association	.2324
Anaheim Cooperative Orange Association	1.1349
Bryn Mawr Mutual Orange Association	.1022
Chula Vista Mutual Lemon Association	.0549
Euclid Avenue Orange Association	.7436
Foothill Citrus Union, Inc	.0729
Fullerton Cooperative Orange Association	.3031
Garden Grove Orange Cooperative, Inc	.7609
Golden Orange Groves, Inc	.2707
Highland Mutual Groves, Inc	.0285
Index Mutual Groves, Inc	.3788
La Verne Cooperative Citrus Association	2.0783
Mentone Heights Association	.0465
Olive Hillside Groves, Inc	.5033
Orange Cooperative Citrus Association	1.4326
Redlands Foothill Groves	.8699
Redlands Mutual Orange Association	.2147
Ventura County Orange & Lemon Association	1.3255
Whittier Mutual Orange & Lemon Association	.1387
Babijuice Corp. of California	.5982
Banks, L. M	.5805
Borden Fruit Co	.5959
California Associated Growers	.2487
Cherokee Citrus Co., Inc	.1836
Chess Co., Meyer W	.6314
Dunning Ranch	.0486
Evans Bros. Packing Co	.3130
Gold Banner Association	.2308
Granada Hills Packing Co	.0350

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Granada Packing House	1.8800
Hill Packing House, Fred A	.1120
Knapp Packing Co., John C	.5902
L Bar S Ranch	.1473
Lawson, William T	.0091
MacDonald Fruit Co	.0078
Orange Belt Fruit Distributors	2.4765
Otte, Arnold	.0273
Panno Fruit Co., Carlo	.5996
Paramount Citrus Association	1.0212
Patitucci, Frank L	.0097
Placentia Orchards Co	.5034
Prescott, John A	.0159
Riverside Citrus Association	.0508
Ronald, P. W	.0221
Ronneberg, Jerry L	.0011
San Antonio Orchard Co	.2840
Stephens, T. F	.2604
Stewart, J. B	.0156
Summit Citrus Packers	.0065
Wall, E. T., Grower-Shipper	.1482
Western Fruit Growers, Inc	.7727
Wilson, H. G	.0338

[F. R. Doc. 50-4838; Filed, June 2, 1950; 11:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter B—Aircraft

PART 823—USE OF UNITED STATES AIR FORCE BASES OVERSEAS BY CIVIL AIRCRAFT (DOMESTIC OR FOREIGN)

Regulations contained in §§ 823.1 to 823.17 inclusive are hereby revised.

Pursuant to the authority conferred by sections 207 (f) and 208 (e) of the National Security Act (61 Stat. 503, 504; 5 U. S. C. Sup. II, 626 (f), 626c (e)), Transfer Order 14, May 27, 1948 (13 F. R. 3094), and cited laws, the following regulation is hereby prescribed:

Sec.

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AUTHORITY: §§ 823.1 to 823.17 issued under sec. 5, 44 Stat. 570, as amended, 53 Stat. 795; 22 U. S. C. 259, 49 U. S. C. 175.

DERIVATION: AFR 55-20.

§ 823.1 *General.* Sections 823.1 to 823.17 fix the responsibility for and describe the procedures to be followed on matters affecting the use of Air Force bases by civil aircraft (domestic or foreign) outside the Continental United States. Approval will be obtained by operators of civil aircraft for the flight or flights in each instance from the government or governments exercising sovereignty over any territory en route to the military bases and the territory in which the military base is located. Both United States and foreign civil aircraft may use the Air Force facilities only after the necessary approval has been obtained from the Department of the Air Force, or the appropriate oversea air commander, in accordance with procedures established in this part and subject to the concurrence of the Department of State, or the appropriate United States diplomatic representative of the country concerned. Under no conditions will service or facilities be made available by the Air Force for the use of civil aircraft in competition with private enterprise. Service or facilities will be made available only when civil airfield facilities are not reasonably accessible to the operator of the aircraft.

§ 823.2 *Policy.* (a) Air Force air navigational facilities overseas, may be utilized by operators of civil aircraft holding a valid Air Force permit (Air Force Form 33) which will be issued only after execution of Air Force Form 32 and upon the conditions that civil navigational facilities are not reasonably available and such use will not infringe upon military operations. Indiscriminate use of Air Force facilities by civil operators will not be permitted, nor is the Air Force obligated to install facilities or adopt civil procedures to meet such requirements beyond those necessarily adequate for military operational needs.

(b) Operational clearance of civil aircraft is not the responsibility of United States Air Force clearing authorities. No limitation is placed, however, upon the authority of the Air Force base commander when the safety of United States property or interference with military operations is concerned.

§ 823.3 *Definitions.* (a) Air navigation facilities includes any airport, emergency landing field, light or other signal structure, radio directional finding facility, or other electrical communication facility, and any other structure or facility used as an aid to air navigation.

(b) Domestic aircraft are those aircraft owned by Nationals of the United States or United States corporations, either within or without the United States and registered with and certified by official United States civil aeronautical authorities.

(c) Foreign aircraft are those aircraft owned by a foreign national or a foreign corporation and registered with and certified by a foreign nation.

(d) Civil aircraft are those aircraft (domestic or foreign) operated by civil persons, individuals, or corporate of any government, in other than military or state operations.

(e) Military contract carrier for the purpose of §§ 823.1 to 823.17 is civil United States registered aircraft under contract to the Military as distinguished from such aircraft chartered by the United States Government.

(f) Air Force is to be interpreted as the United States Air Force.

§ 823.4 *Applications*—(a) *Channels of communication.* Operators of civil aircraft requesting permission to use Air Force facilities should direct a letter of

application to either United States diplomatic representatives in the country in which the aircraft is registered, the oversea Air Force headquarters controlling the bases to be used, or the Director of Installations, Headquarters United States Air Force, Attention: Facilities Division, Washington 25, D. C.

(b) *Contents.* Letter of application will include the following information:

(1) Purpose of flight (tourist, survey, charter, revenue, or nonrevenue, etc.), giving details including United States base and facilities to be used, and route to be followed.

(2) Number and frequency of proposed flights.

(3) Name and address of the financial sponsor of the flight.

(4) Name of the country in which aircraft is registered.

(5) Name and address of registered owner.

(6) Name of manufacturer of aircraft, model, serial number, identification mark, expiration date of aircraft Airworthiness Certificate, and maximum gross weight permitted by the appropriate aeronautical authority of the country of manufacture in kilos (lbs.).

(c) *Insurance coverage.* The operator will attach to the letter of application, an authenticated certificate, or verified copy thereof, from the company with which insurance is carried showing the applicant is covered by aviation insurance in the amount specified in, and that the policy conforms to the requirements of § 823.5 (a) and (b).

(d) *Approving authority.* Oversea air commanders are authorized to approve, when such authority has been delegated by Headquarters, United States Air Force, requests from civil aircraft operators on a nondiscriminatory basis within their own area for use of facilities under their control. Headquarters United States Air Force will act upon all requests not falling within the above category.

§ 823.5 *Insurance.* (a) Aircraft owners or operators making use of Air Force aviation facilities outside the Continental limits of the United States are required to keep Aircraft Liability insurance in force at their own cost and expense as follows:

(1) Aircraft used for cargo carrying only will be insured for Public Bodily Injury with a limit of at least fifty thousand dollars ($50,000) for one person in any accident, and subject to that limit for each person, of five hundred thousand dollars ($500,000) in any one accident, and Public Property Damage Liability with a limit of at least five hundred thousand dollars ($500,000) for each accident.

(2) Aircraft used for both cargo and passenger carrying or for passenger carrying only will be insured for the same coverage as required in subparagraph (1) of this paragraph, and in addition for Passenger Bodily Injury Liability with a limit of at least fifty thousand dollars ($50,000) each passenger, and subject to that limit for each passenger, a limit for each accident, in any one aircraft, equal to the total produced by multiplying the limit stipulated above for each passenger by the total number of seats in the aircraft or by the total number of passengers carried, whichever is greater.

(3) Non-commercial, non-revenue producing privately owned and operated aircraft weighing less than 12,500 pounds certificated maximum gross operating weight will be covered by the insurance required in subparagraphs (1) and (2) of this paragraph, except that the limit of Public Property Damage Liability will be at least $150,000 for each accident and Passenger Bodily Injury Liability will have as a limit for each accident, in any one aircraft, a limit equal to at least the total produced by multiplying the $50,000 limit for each person by the number of persons on board.

(4) All policies will contain an endorsement providing a waiver of any right of subrogation the insurance company may have against the United States by reason of any payment under the policy on account of damage or injury in connection with the insured's use of any Air Force Base or facility or the insured's purchase of services or supplies from the Air Force.

(5) All policies will specifically provide, by indorsement or otherwise, that the provisions thereof are to be in full force and effect in the country or countries outside the Continental limits of the United States where the Air Force bases concerned are located.

(b) All insurance policies will be carried with an insurance company or companies duly authorized by law to write the required aircraft and other insurance coverage.

(c) If, for any reason, the insurance as listed on the application is believed to be of a doubtful nature, or is lacking in the requirements as specified above, the office receiving the application will inform the applicant of Air Force requirements, and will request, if considered necessary, a certified copy of the insurance policy, to be forwarded with the application for approval to the Director of Installations, Headquarters, United States Air Force, Attention: Facilities Division, Washington 25, D. C.

§ 823.6 *Customs, immigration, and sanitation.* Commanding officers of military bases will inform all custom, immigration, and sanitation officials of the arrival of the civil aircraft. The aircraft Commander is responsible for insuring that all custom, immigration, and sanitation regulations are complied with fully as soon as practicable after the landing. Clearance for take-off will not be issued until such regulations have been met.

§ 823.7 *Priority and conditions of use.* Priority of use of air navigation facilities owned or operated by the Air Force will be determined by the Air Force. The use of Air Force facilities by civil aircraft will be based on the following conditions:

(a) No over-riding military considerations exist for denying such use as determined by the Air Force.

(b) Civil airfield facilities are not reasonably available to the operator of the aircraft.

(c) No military facilities, personnel, or special stocks of material will be maintained solely for the purpose of rendering assistance to civil aircraft. Retained facilities, personnel, and special stocks of material will be based upon military requirements.

(d) Operators of civil aircraft utilizing military airfields will carry proper certification as hereinafter described.

(e) Payment of appropriate fees as provided in §§ 823.12 to 823.15.

(f) Operators of civil aircraft utilizing air navigation facilities owned or operated by the Air Force are required to comply with the air and ground rules and regulations promulgated by the Chief of Staff, United States Air Force, or the commanding officer of the establishment to which the facilities being employed pertain.

§ 823.8 *Certification of aircraft*—(a) *Certificate form.* All operators of civil aircraft will be required to execute an original and five copies of AF Form 32, "Agreement Covering Civil (Domestic or Foreign) Aircraft Operations at United States Air Force Bases Overseas" prior to the inauguration of their operation. One copy will be retained by the individual or airline executing the agreement.

(b) *Authentication of certificate.* United States officials authorized to authenticate this agreement consist of the following:

(1) Commanding officers of Air Force bases under conditions listed in § 823.10.

(2) Oversea air commanders when this authority has been delegated by Headquarters United States Air Force.

(3) United States diplomatic representatives to that nation with which the aircraft is registered, after obtaining approval from Headquarters United States Air Force.

(4) Director of Installations, Headquarters United States Air Force, Attention: Facilities Division, Washington 25, D. C.

§ 823.9 *Aircraft permit.* (a) Each civil aircraft using Air Force bases is required to carry at all times in the custody of the commander of the aircraft an Air Force Form 33, "Aircraft Permit to Use United States Air Force Bases Overseas." This permit must be shown to the base commander upon the arrival of the civil aircraft.

(b) In the event of an emergency landing by a civil aircraft at an Air Force base, not scheduled by that civil aircraft, the base commander is required to determine that the operator in question has a properly executed permit in his possession. If the form is in proper order, the base commander will render, under the terms of the regulation contained in §§ 823.1 to 823.17 all services needed. If the operator is not carrying a permit, the aircraft will be considered as having landed without official authorization and instructions contained in § 823.10 will prevail.

(c) Any restrictions imposed by the Department of the Air Force will be listed on the reverse side of this form by the person executing this permit as the authorized United States official.

(d) The authentication of this permit will be by officials authorized to execute Air Force Form 32.

§ 823.10 *Unauthorized landings.* In the event the operator of a civil aircraft lands at any Air Force installation without official authorization, the commanding officer of the installation concerned is responsible for obtaining an executed agreement (Air Force Form 32) from the operator, and is authorized to execute it on behalf of the Air Force after obtaining Department of the Air Force or oversea air command approval. This agreement must be executed prior to giving any assistance under authority of this part or to the take-off of the aircraft in question. If, in the opinion of the commanding officer of the base concerned, the landing of the carrier without authorization is a bona fide emergency, the commanding officer is authorized to execute the above agreement without obtaining prior approval of the Department of the Air Force or oversea air command, and to assist the carrier in all matters as outlined within this part. Termination of the agreement will be at the termination of the flight then in progress.

§ 823.11 *Emergency landings and assistance.* (a) Nothing contained herein will be construed to prohibit or restrain any aircraft in distress from making a necessary and unforeseen landing at any Air Force airfield. Such Air Force assistance, as may be required, to enable the aircraft to continue its flight to the nearest commercial airport is authorized, under the conditions established with §§ 823.1 to 823.17.

(b) Nothing within §§ 823.1 to 823.17 is to be interpreted to prevent the rendering of assistance for the protection of property (shelter, tie-down, etc. as available), and personnel services (messing, billeting, etc.) to crew and/or passengers of any aircraft landing at an Air Force base.

§ 823.12 *Prices*—(a) *General.* All articles, other than subsistence and those enumerated above, will be sold and assistance furnished at the fair market value prevailing locally. In cases where similar supplies, other than those enumerated in paragraphs (b), (c) and (d) of this section, are not available in nearby localities, the price charged will be cost price plus 15 percent of the cost price for transportation and handling, (sec. 5, 44 Stat. 571; 49 U. S. C. 175), plus 3 percent overhead charge.

(b) *Aviation supplies.* On all aviation supplies, except aircraft engines, gasoline and oil, the price shown in the current Air Force stock list will be considered as the basic cost price to the Government. The basic cost prices of aircraft engines are listed in T/O 00–25–30 and the engines may be sold to commercial operators under the following conditions:

(1) An aircraft is grounded at the Air Force base because of loss or irreparable damage of engines.

(2) Engines are available and in the opinion of the commanding officer of the Air Force base the sale of the engines will not encroach upon military requirements.

(3) Approval of the Commanding General, Air Matériel Command, Wright-Patterson Air Force Base, Dayton, Ohio, for sale of the engines is obtained prior to release of the engines for installation.

(c) *Aircraft engines and spare parts.* On the sale of engines and aircraft spare parts, 25 percent of the applicable list price for transportation to the theatre, plus 15 percent of the list price for handling within the theatre, plus 3 percent of the list price for overhead charge will be added to the basic government cost price. No reparable parts will be exchanged for any Air Force issues, and no credit will be allowed for items of a similar nature to those sold.

(d) *Aviation fuel and oil.* C. i. f. (cost, insurance, and freightage to oversea ocean terminal) on aviation fuel and oil will be published by Headquarters, Air Matériel Command. Storage, handling and transportation costs after the aviation gasoline or oil leaves the oversea ocean terminal will be added by the theatre commander to determine the final charges to be made to civil air operators. When impossible to determine or reasonably approximate these latter charges, 20 percent for each United States gallon will be added to the c. i. f. price to determine charges to be made to civil air operators.

(e) *Landing fees.* Landing fees at Air Forces bases outside the continental limits of the United States will be charged at the same rates and on the same basis as such fees are computed at the nearest civil airport within the geographical limits of the same country, or at the rates and on the basis outlined below, whichever is the greater:

From 1 to 90 Landings per Month per Individual Company (Amount per Landing)

10,000 pounds or less: $3.00.
11,000 pounds to 25,000: $5.00.
Over 25,000 pounds: $5.00 plus 15 cents per 1,000 pounds in excess of 25,000 pounds.

Next 90 Landings per Month per Individual Company (Amount per Landing)

Up to and including 25,000 pounds: $4.00.
Over 25,000 pounds: $4.00 plus 12 cents per 1,000 pounds in excess of 25,000 pounds.

In Excess of 180 Landings per Month per Individual Company (Amount per Landing)

Up to and including 25,000 pounds: $3.00.
Over 25,000 pounds: $3.00 plus 10 cents per 1,000 pounds in excess of 25,000 pounds.

Weights specified above are the maximum gross take-off weights permitted by the appropriate aeronautical authority of the country of manufacture. Calculations will be made to the nearest thousand pounds. The figure certified in Air Force Form 33 will be used as the basis for the above charges. In the event no aircraft permit is available, the commanding officer of the base will estimate the maximum gross weight based upon the best information available to him and use this figure in determining the landing fees to be charged. No additional landing fees will be charged for engineering test hops from, or for emergency maintenance returns to the original base of take-off.

(f) *Mechanical services.* Mechanical services will be provided in an emergency, as determined by the commanding officer, when such services are not available from other sources. Services of military personnel will be computed on a basis of $1.25 each man-hour. Services of civilian personnel, employed in the military service, will be computed on the hourly rate paid such personnel by the Department of the Air Force.

(g) *Shelter and tie-down service.* Shelter (hangar facilities) or tie-down (no hangar facilities) service may be furnished if requested when such service can be accomplished without interruption to normal military operations. Fees will be charged as outlined below:

(1) For shelter (hangar facilities): 20 cents per 1,000 pounds for each 24-hour period or fraction thereof (minimum $3.00).

(2) For tie-down (no hangar facilities): 10 cents per 1,000 pounds for each 24-hour period or fraction thereof, such charges to start 6 hours after the plane lands (minimum $1.00).

Weights specified are the maximum gross take-off weights permitted by the appropriate aeronautical authority of the country of manufacture. Calculations will be made to the nearest thousand pounds. The figure certified in Air Force Form 33 will be used as the basis for the above charges. If no aircraft permit is available, the commanding officer of the base will estimate the maximum gross weight based upon the best information available to him and use this figure in determining the shelter or tie-down fees to be charged.

(h) *Storage.* Civil aircraft damaged to such an extent that major repairs are required may be given emergency storage at the request of the pilot: *Provided,* That necessary facilities are available, at the rates of shelter shown in paragraph (g) of this section, but major or minor overhauling of civil aircraft will not be made at Air Force bases by military personnel or civilian employees of the Air Force. Damaged aircraft, when facilities are available, may be stored in its original damaged condition, but the United States Government will assume no responsibility for its safe-keeping and the owner will be required to take charge of it and remove it from United States Government storage at the earliest practicable date.

(i) *Messing and billeting.* Messing and billeting services within existing capacity will be provided, if not readily available from other sources. Charges for these services will be computed on the basis of the rates prevailing locally as determined by the local commanding officer, or on existing rates charged transient personnel, and will be paid for in cash prior to the departure of the civil aircraft in question.

(j) *Local transportation.* Local transportation, subject to limitations of available facilities and personnel, will be furnished to billets, if billets are located off the base. Ordinarily transportation, so provided, will be computed at the rate of $1.00 each passenger per trip except where owing to local conditions, the commanding officer, with the approval of the next higher echelon of command, has established a different charge, and will be paid for in cash prior to the departure of the civil aircraft in question.

(k) *Emergency medical service.* Emergency medical service, as determined by the commanding officer of the hospital or his representative, will be

furnished. Charges for this service will be made in accordance with current directives.

(l) *Exchanges and sales stores.* Exchange and quartermaster sales store facilities at military bases will not be made available to any person who otherwise is not authorized to use such facilties.

(m) *Aeronautical radio services.* Aeronautical radio services will be made available to civil air operators in accordance with the following:

(1) Aeronautical radio services of a general public service type will be furnished without charge. These services include those connected with air navigation, airways and meteorological communications, air traffic control, rescue, and instrument approach and landing. Airways communications include the following categories of messages which will be handled without charge: distress; those concerning the safety of human life; aircraft movement; air traffic control; operation; reservation; services; notices to airmen; and other airline agency traffic pertaining to the operation of the airline.

(2) In the absence of adequate facilities (commercial communications, pilot pouch, air or regular mail, etc.), administrative or other airline operating agency private type of message will be accepted without charge and without United States Government responsibility, for transmission via existing military telecommunications channels to the appropriate adjacent commercial communications entry point for refiling on a collect-on-delivery basis. Normally, administrative messages will not be handled unless of an extremely important nature requiring rapid transmission and immediate reply and which cannot be handled adequately via mail, pilot pouch, or commercial channels.

(3) No increase in personnel or equipment will be authorized to support the handling of the above-mentioned traffic. The volume of those messages handled will be contingent solely upon the ability of the Air Force to handle that traffic without an increase in personnel or equipment or conflict with the military mission.

(4) In all cases where messages are received for operators of civil aircraft at Air Force oversea bases, the responsibility of the Air Force for delivery of such is restricted to the limits of the air base. Arrangement for delivery beyond stated limits is the entire responsibility of civil air carriers.

(n) *Installation facilities.* All requests for allocation of office and storage space, utility and communications facilities, and for the provision of similar facilities and services will be referred to the Director of Installations, Headquarters United States Air Force, Washington 25, D. C., for investigation and subsequent action.

§ 823.13 *Sales*—(a) *Cash transactions.* All transactions at an Air Force base will be reimbursable to the Air Force on a cash basis with United States authorized currency, except as outlined in paragraph (b) of this section.

(b) *Aviation fuel and oil.* Operators of civil aircraft will designate where appropriate, a commercial oil company regularly conducting business in the United States and/or its Territories as its authorized supplier. Notification of the supplier's name, together with written acceptance thereof by the supplier will accompany the initial request, Air Force Form 33, from a civil air carrier if service on other than a cash basis is desired. The acceptance by the supplier will include a statement that the supplier guarantees to reimburse the United States Government for all gasoline and oil supplies furnished the particular individual or company at military bases. At the time the supplier's acceptance is obtained, a certified copy will be forwarded immediately to the Commanding General, Air Matériel Command. Headquarters, Air Matériel Command is authorized to make a proper determination in all instances considered necessary under this system of collection by any authorized United States official (see § 823.8 (b)). These United States officials are authorized to communicate direct with the Commanding General, Air Matériel Command, Property Officer, Fuel Branch, MCMSXE 21, Wright-Patterson Air Force Base, Dayton, Ohio, on all matters pertaining to these requests. WD AGO Form 446 "Issue Slip" will be accomplished fully, and the receipt for such fuel and oil must be acknowledged by the aircraft commander.

(c) *Advance deposits.* In lieu of cash payments as provided in paragraph (a), of this section, commanding generals of oversea air commands are authorized to contract with the civil air operators, after issuance of Air Force Form 33, for fees and charges under § 823.12 (b) and § 823.12 (e) through (h). This contract may be entered into at the discretion of the oversea air commander and will provide for refundable advance deposits (the amount of which will be determined with the civil air operator but in no event will it exceed the estimated requirements for fees and charges during the ensuing three month period) to be held on deposit from the contracting officer by the local finance officer.

(d) *Request by aircraft commander.* Request for gasoline, oil, supplies, or services in connection with civil aircraft will be made in writing by the aircraft commander who will specify in detail the kind of gasoline, oil, or supplies desired or the exact services to be furnished. The commander of the civil aircraft or an agent designated by him, requesting mechanical service at a base, will supervise personally the performance of any services rendered, and upon completion of the work and prior to clearance or take-off will release the United States from all responsibility by executing Air Force Form 34, "Certificate of Release".

(e) *Liability.* The Air Force will accept no responsibility for the quality or condition of the gasoline, oil, or supplies sold, or the competence or skill of the mechanical service furnished to operators of civil aircraft.

§ 823.14 *Engine loan.* (a) The owner or operator of commercial United States registered aircraft who has executed Air Force Form 32, may obtain the loan of an engine from an Air Force base overseas upon the terms contained in Air Force Bailment Agreement § 823.17 and under the following conditions:

(1) The aircraft is grounded at the Air Force base due to loss or failure of engine.

(2) Spare engines are available and in the opinion of the commanding officer of the Air Force base the loan of engines from military stock for the period of time required will not encroach upon military requirements.

(3) Approval of the Commanding General, Air Matériel Command, Wright-Patterson Air Force Base, Dayton, Ohio, is obtained prior to release of engines for installation.

(b) Air Force bases will not be stocked with aircraft engines of a type and model other than that required for military operations, nor will any stock of engines in use at a base be increased beyond military requirements, for the purpose of rendering the service provided herein.

(c) All bailment agreements entered into pursuant to this section will be executed on behalf of the Government by a contracting officer duly appointed pursuant to applicable Air Force directives.

§ 823.15 *Foreign tax.* In cases where a foreign tax is imposed on the sale of services or supplies, the commanding officer making the sale will cooperate with the local governmental authorities concerned in the collection of the tax, but will not undertake the actual collection thereof.

§ 823.16 *Contract carriers.* (a) Military contract carriers will be exempt from the provisions of regulations contained in §§ 823.1 to 823.17 except that commanding officers of military bases will inform all custom, immigration and sanitation officials of the arrival of the contract carrier. The military contract carrier aircraft commander will be responsible for insuring that all custom, immigration and sanitation regulations are fully complied with as soon as practicable after landing. Clearance for take-off will not be issued until such regulations have been met. Procedures acceptable to the base commander, local officials, and the contract carrier will be made standard procedure at the military installation in question.

(b) Military Contract Carriers will receive the same assistance at Air Force bases as that rendered to military aircraft generally. Before rendering any assistance the base commander will assure himself that the aircraft is being operated as a military contract carrier.

§ 823.17 *Air Force Bailment Agreement.*

BAILMENT AGREEMENT—AIRCRAFT ENGINE LOAN FOR USE ON UNITED STATES REGISTERED CIVIL AIRCRAFT GROUNDED AT AIR FORCE BASES OVERSEAS, AND FOR THE PAYMENT THEREOF

---------- (Date)

Whereas, ---------- (Airline) of ---------- (Address) hereafter referred

to as Bailee, is the _____ (Owner or operator) of the _____ (Type) civil aircraft, U. S. Registration No. _____ grounded at _____ Air Force Base because of _____ (Failure, loss) of engines, and

Whereas, the Bailee, which has executed Air Force Agreement, Form 32, to land at _____ Air Force Base, has requested loan of _____ engines from the United States Air Force, hereafter referred to as Bailor, and

Whereas, approval of the Commanding General, Air Matériel Command, USAF, has been obtained by TWX No. _____ for the loan to _____ (Airline) of the following Air Force engine(s):

Manufacturer	Type	Serial No.	Total engine hours since last overhaul

and

Whereas, it has been determined that the loan of such engine(s) is necessary, by reason of an emergency, to the continuance of such aircraft on its course to the nearest airport operated by private enterprise, as authorized by Act May 20, 1926 (44 Stat. 471; 49 U. S. C. 175);

Now therefore, in consideration of the promises and the mutual covenants and agreements herein contained, and for other good and valuable consideration, the parties hereto agree as follows:

1. a. Bare engines only will be loaned.

b. No exchange or trade of engines is involved.

c. The Bailor neither accepts responsibility, nor will it be held liable, for operational failure of the loaned engine(s).

d. The Bailor neither accepts responsibility, nor will it be held liable, for the loss or damage of the Bailee's engine(s) left at the Bailor's installation.

e. Removal of the Bailee's engine(s) from the Bailor's premises will be accomplished within a reasonable time, not exceeding _____ days from date hereof, at no expense to the Bailor.

2. In consideration of the loan of the above enumerated engine(s), delivery of which is acknowledged upon signature hereto of a duly authorized representative of the Bailee, it is promised and agreed:

a. To pay to the Bailor, for total hours of utilization of the engine(s) at an hourly rate based on the Bailor's average engine-hour maintenance cost for the type and model of the loaned engine(s).

b. To pay to the Bailor all hauling, shipping and handling costs incurred in the transfer of replacement engine(s) to _____ Air Force Base, said engine(s) to be obtained from the nearest Air Force Supply Depot and shipped by the least expensive mode of transportation commensurate with the urgency needs of the _____ Air Force Base for such replacement.

c. To pay to the Bailor all costs involved when Air Force personnel are required to install the engine(s) loaned to the Bailee.

d. To demount the Bailor's engine(s) from the Bailee's aircraft within _____ (hours, days) from the date of this agreement, prepare said engine(s) for shipment in accordance with United States Air Force procedure, and at the expense of the Bailee ship said engine(s) to such Air Force overhaul depot as may be designated by the Commanding General, Air Matériel Command, and to pay Bailor all expenses incurred in connection with inspection by the Air Force overhauling activity of returned engine(s), including but not limited to block test operations of the engine(s), and repreparation of the engine(s) for storage.

e. To pay to the Bailor all costs arising from the repair of any engine(s) damaged while in the possession of the Bailee or in the return shipment, which, in the judgment of the overhauling depot, can be economically repaired including the cost of all necessary repair parts, labor and other operating expenses incidental thereto, block test operations of the engine(s), and repreparation of the engine(s) for storage.

f. To pay to the Bailor a sum equal to the total cost of replacement of the type and model of engine(s) on loan under this agreement when such engine(s) has (have) been lost or in the judgment of the overhaul depot has (have) been damaged beyond economical repair while in the possession of the Bailee or in the return shipment of the engine(s) to the designated Air Force installation.

g. The Bailee will ship the Bailor's engine(s) within 24 hours from receipt of notice by the Commanding General, Air Matériel Command as to the Air Force installation to which the engine(s) will be returned or within _____ (hours, days) from date hereof when the giving of such notice is concurrent with the loan of the engine(s).

h. To pay to the Bailor an hourly rental of _____ per hour for each hour or fraction thereof delay in return shipment of the engine(s) in accordance with g. above.

i. To pay all fees and/or charges promptly to Headquarters, Air Matériel Command, Wright-Patterson Air Force Base, Dayton, Ohio.

3. *Officials Not To Benefit.* No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

4. *Disputes.* Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the contracting officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the contractor. Within 30 days from the date of receipt of such copy, the contractor may appeal by mailing or otherwise furnishing to the contracting officer a written appeal addressed to the Secretary of the Air Force, and the decision of the Secretary of the Air Force or his duly authorized representative for the hearing of such appeals shall be final and conclusive; provided that, if no such appeal is taken, the decision of the contracting officer shall be final and conclusive. In connection with any appeal proceeding under this clause, the contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the contracting officer's decision.

In witness whereof, the parties hereto have executed this contract this _____ day of _____ 195____.

The United States of America

By _____
Contracting officer
Bailor

By _____
(Official title)
Bailee

I, _____, certify that I am the _____ of _____ (Bailee) and that as such I am authorized to execute the foregoing agreement on behalf of such bailee.

Accountability for the engine(s) loaned to _____ (Airline) under this agreement has been transferred to _____ by authority contained in TWX No. _____, Hq., Air Matériel Command, Dayton, Ohio, on Air Force Form 104B (Air Force Requisition and Shipping Document) attached to and made a part hereof.

[SEAL] E. E. NELSON,
Colonel, U. S. Air Force,
Deputy Air Adjutant General.

[F. R. Doc. 50-4755; Filed, June 2, 1950; 8:45 a. m.]

Subchapter F—Reserve Forces

PART 861—OFFICERS' RESERVE

APPOINTMENT OF LIEUTENANTS IN REGULAR AIR FORCE FROM THE RESERVE FORCES

Regulations contained in §§ 861.101 to 861.106 inclusive (14 F. R. 7340) are hereby revised.

Pursuant to the authority conferred by secs. 207 (f) and 208 (e) of the National Security Act (61 Stat. 503, 504; 5 U. S. C. Sup. II, 626 (f), 626c (e)) Transfer Order 2, October 1, 1947, (12 F. R. 6736), and cited laws, the following regulation is hereby prescribed:

Sec.
861.101 Purpose.
861.102 Policy.
861.103 Definitions.
861.104 General.
861.105 Permanent grade and seniority.
861.106 Eligibility.
861.107 Method of application.
861.108 Channels of communication.

AUTHORITY: §§ 861.101 to 861.108 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply sec. 37, 39 Stat. 189, as amended, sec. 32, 41 Stat. 776, sec. 1, 49 Stat. 1028, as amended, sec. 4, 62 Stat. 89; 10 U. S. C. 851, 852, 353, 369, 369a, 10 U. S. C. Sup., 422.

DERIVATION: AFR 36-5.

§ 861.101 *Purpose.* Sections 861.101 to 861.108 provide an opportunity for certain commissioned officers of the Reserve Forces of the Air Force (other than Judge Advocate and Medical Services applicants) to apply for appointment in the Regular Air Force, and establish a system for their selection and appointment.

§ 861.102 *Policy.* The policy of the Air Force is to tender Regular commissions from time to time to those particular officers of the Air Force Reserve and the Air National Guard of the United States who desire Regular commissions, who meet the requirements outlined in § 861.106, who are qualified, and for whom requirements exist in the Regular Air Force.

§ 861.103 *Definitions*—(a) *Reapplicant.* An applicant who, since June 16, 1948, has applied and has been screened (completed a biographical information blank and appeared before an interview board) in connection with an application previously submitted under the provisions of §§ 861.101 to 861.108.

(b) *Immediate superior.* That officer responsible for preparation of an applicant's effectiveness reports in accordance with Air Force Regulation 36–10.

(c) *Air Force commander.* The commanding general of a numbered air force of the Continental Air Command, or the senior Air Force commander in an oversea command, in which an applicant is assigned for duty.

§ 861.104 *General*—(a) *Who may apply.* Initial application may be submitted at any time by those officers who meet the requirements outlined in § 861.106. One reapplication may be submitted: *Provided,* That the officer still meets the eligibility requirements, after one year has elapsed since notification of rejection under this program. Only one reapplication may be submitted and those officers who previously have submitted two applications since June 16, 1948, are not eligible to reapply.

(b) *Screening.* All applicants will be processed through Air Force screening centers prior to consideration for Regular appointment. Applicants will be notified individually of screening appointments.

(c) *Consideration and selection for Regular appointment.* The Personnel Board of the Personnel Council, Office, Secretary of the Air Force, will consider all applicants whose screening has been completed and will:

(1) Select for appointment in the Regular Air Force those who are determined fully qualified for the appointment and for whom a vacancy and specific requirement exists within the authorized strength and personnel structure of the Regular component;

(2) Defer for reconsideration those applicants who are determined to be potentially qualified for such selection; and

(3) Reject the remainder.

Applicants normally will be considered, or reconsidered, for selection during the last quarter of each fiscal year. However, if contingencies arise which indicate the desirability of making selections at unscheduled intervals to meet a particular need, such action will be taken at times determined expedient.

(d) *Deferred applicants.* An applicant who, at initial consideration by the Personnel Board, is determined to be potentially qualified for selection and is deferred for reconsideration, will not in any way be assured of ultimate selection. Only those applicants for whom a specific requirement exists will be selected for Regular appointment. An applicant who has been deferred for reconsideration normally will be reconsidered each year until selected for Regular appointment or rejected for one of the following reasons:

(1) Written request of applicant.

(2) Physical disqualification.

(3) Declining manner of performance or other reasons reflecting adversely upon an applicant's qualifications.

(4) Exceeding the maximum age for appointment under current policies for selection of Regular officers. (Applicants will be rejected when they no longer meet one of the eligibility requirements for submission of application as outlined in § 861.106 (f).)

(5) Whenever an officer's selection in the foreseeable future is precluded because of the number of other applicants with similar qualifications whose relative standing is higher.

(e) *Effect of relief from extended active duty.* No eligible applicant will be denied consideration for Regular appointment solely by reason of having been relieved from extended active duty without prejudice, after submission of application.

§ 861.105 *Permanent grade and seniority.* To determine grade, position on promotion list, permanent grade seniority, and eligibility for promotion, each person initially appointed and commissioned an officer in the Regular Air Force, at time of appointment, will be credited with an amount of service equivalent to the total period of active Federal service performed after attaining the age of 21 years as a commissioned officer of the Air Force or Army of the United States, or any component thereof, subsequent to December 31, 1947, and prior to such appointment, but in no event will any person be credited for those purposes with more than five years of such service. Therefore, all persons appointed in the Regular component prior to January 1, 1951 under the provisions of §§ 861.101 to 861.108 will be appointed in the permanent grade of second lieutenant. After January 1, 1951, any person who, on date of appointment, has completed a minimum of three years of active Federal commissioned service in any component of the Air Force or Army of the United States since December 31, 1947 and after reaching his 21st birthday, will be appointed in the permanent grade of first lieutenant. All other persons appointed after January 1, 1951 will be appointed in the permanent grade of second lieutenant. The grade in which an officer is serving at time of Regular appointment, or the grade in which he would otherwise be entitled to be recalled, will not be affected by Regular appointment.

§ 861.106 *Eligibility.* Any person who meets all the following requirements may submit application for appointment as a commissioned officer in the Regular Air Force:

(a) Is a citizen of the United States.

(b) Is a commissioned officer of the United States Air Force Reserve or Air National Guard of the United States.

(c) Is physically qualified for such appointment. (Physical examination will not be required as a prerequisite to applying; however, prior to appointments selected applicants will be required to meet the physical requirements.)

(d) Has a minimum of 60 semester hours (90 quarter hours) credit toward a baccalaureate degree from colleges or universities accredited by National or regional accrediting associations or, has successfully completed the Educational Qualification Test 2CX as of date of application. (This test will be given by the local airmen information and education officer.)

(e) Has completed a minimum of 12 months of active Federal commissioned service in any component of the Armed Forces of the United States.

(f) Meets one of the following age requirements:

(1) An applicant, otherwise eligible, who served in any of the Armed Forces of the United States (Army, Navy, Air Force, Marine Corps, and Coast Guard—all components) prior to September 2, 1945, may apply, provided that he has not passed his 30th birthday as of July 1, of the year in which application is submitted.

(2) Any person, otherwise eligible, may apply: *Provided,* That the period of time from his date of birth to date of appointment in the Regular component will not exceed 27 years by more than the number of years, months, and days (not to exceed five years) of active Federal commissioned service performed by him since December 31, 1947, in any component of the Air Force or Army of the United States.

(g) Is on extended active duty at time of application. Persons who meet all other requirements may apply for a waiver of this requirement provided that they possess a baccalaureate degree from an accredited college or university. Application for waiver with complete transcript of college credits, indicating degree conferred, will be securely attached to application for Regular commission (Air Force Form 17). Applications for waivers of the extended active duty requirement will be evaluated on the basis of the needs of the Air Force and will be granted only to those applicants whose transcripts indicate major study in a specialty for which a particular requirement exists in the Regular Air Force.

(h) If a female, must not have a child or other dependent under 18 years of age. A woman who has any legal or other responsibility for the custody, control, care, maintenance, or support of any child or children under 18 years of age will not be appointed. This requirement will not preclude the appointment of a woman who has surrendered all rights to custody and control of natural children through formal adoption or final divorce proceedings; however, women having stepchildren or foster children under 18 years of age, or who otherwise stand in relationship of parent to such child or children may not be appointed.

§ 861.107 *Method of application.* Each applicant will:

(a) Submit a complete formal application on Air Force Form 17, "Application for Commission in the United States Air Force," in duplicate. Applicants not on extended active duty will submit their applications direct to the Director of Training, Headquarters United States Air Force, attaching a request for waiver

in compliance with § 861.106 (g). Applicants on extended active duty will submit their applications to their immediate superiors.

(b) When completing item 11, section I, Air Force Form 17, enter under the heading "Other Schools," all military schools attended, indicating whether successfully completed, title of course, and final grade or standing if known.

(c) When completing item 17, section I (Remarks), Air Force Form 17, list all supplementary schooling completed, such as extension or correspondence courses, examinations taken for credit, or home study without supervision. Also under this item, and separately identified, list academic work now being taken but not completed, with pertinent information relative to type of study, titles of courses, credit to be earned (if applicable), and expected date of completion.

(d) Attach to his application transcripts of all college and/or university credits or the certificate of satisfactory completion of the Educational Qualification Test 2CX in the event an applicant on extended active duty cannot submit transcripts of the minimum education required. Reapplicants who have submitted either of these documents with a previous application under the provisions of §§ 861.101 to 861.108 are exempt from this requirement.

(e) Where additional academic work is completed subsequent to submission of application, forward evidence of completion to the Director of Training, Headquarters United States Air Force, for inclusion with application.

(f) Attach to his application a loyalty statement as required by Part 886 of this chapter (14 F. R. 6979).

(g) Inform the Director of Training, Headquarters United States Air Force, Attention: Officer Initial Procurement Branch, Personnel Procurement Division, Washington 25, D. C., in writing, of any change of address if more than 15 days elapse between date of submission of application and date of appointment or notification of rejection.

(h) Present himself for screening at the scheduled time and place. (Applicants not on extended active duty at time of screening must perform any travel necessary incident to screening at no expense to the Government.)

§ 861.108 *Channels of communication.* In all cases the immediate superior of the applicant will forward the application (in duplicate) and all allied papers direct to the Director of Training, Headquarters United States Air Force, Attention: Officer Initial Procurement Branch, Personnel Procurement Division, Washington 25, D. C., not later than five days after receipt. Immediately upon receipt of duplicate applications (which will be forwarded by Headquarters United States Air Force) the Air Force commander will select the appropriate screening centers and forward the duplicates to the commanders thereof for screening. The screening center commanders will schedule each applicant for screening during the specified period and, if the applicant is on extended active duty, notify the applicant's organization commander in writing of the screening appointment requesting that he take expeditious action to have orders issued directing the applicant to report for screening at the specified time. Applicants not on extended active duty will be notified direct. Upon written notification by the screening center commander, the applicant's organization commander will notify each applicant of his screening appointment and have orders issued directing each applicant to report at the scheduled time and place for screening. After receipt of the completed screening documents and duplicate applications from the screening center commanders, the Director of Training, Headquarters United States Air Force will:

(a) Prepare the file of each applicant for consideration by the Air Force Personnel Council, Office, Secretary of the Air Force.

(b) Tender regular appointments to selected applicants.

(c) Notify each applicant of his status as follows:

(1) That he has been selected for appointment.

(2) That he has been deferred for reconsideration.

(3) That he has been rejected.

[SEAL] E. H. NELSON,
Colonel, U. S. Air Force,
Deputy Air Adjutant General.

[F. R. Doc. 50–4754; Filed, June 2, 1950; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 92—TRANSPORTATION OF MAILS BY RAILROADS

TRAIN STOPS FOR DISPATCH OR RECEIPT OF MAILS

In Part 92, (39 CFR Part 92), make the following changes:

Insert a new § 92.38a in the text between §§ 92.38 and 92.39 to read as follows:

§ 92.38a *Train stops for dispatch or receipt of mails.* All railroad companies carrying the mails shall designate one scheduled train in each direction in every 24 hours, which will stop at any station serving a post office or mail route for dispatch or receipt of fragile or bulky mails. This stop may be made regularly or, when necessary, on signal by the postmaster or mail messenger, or notice to the conductor by the postal transportation clerk or baggageman.

(R. S. 161, 396, secs. 1, 5, 39 Stat. 419, 425–431, secs. 304, 309, 42 Stat. 24, 25; Order of Interstate Commerce Commission of Dec. 23, 1919, 56 I. C. C., as modified; 5 U. S. C. 22, 369, 39 U. S. C. 523–541, 542–568)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 50–4761; Filed, June 2, 1950; 8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 647]

ALASKA

EXCLUDING CERTAIN TRACTS OF LAND FROM THE CHUGACH AND TONGASS NATIONAL FORESTS AND RESTORING THEM FOR PURCHASE AS HOMESITES

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C. title 16, sec. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tracts of public land in Alaska, occupied as homesites, and identified by surveys of which plats and field notes are on file in the Bureau of Land Management, Washington, D. C., are hereby excluded from the Chugach and Tongass National Forests, and restored, subject to valid existing rights, for purchase as homesites under section 10 of the act of May 14, 1898, as amended by the act of May 26, 1934, 48 Stat. 809 (U. S. C. title 48, sec. 461):

CHUGACH NATIONAL FOREST

At approximately mile 27 of the Alaska Railroad between the Railroad and Lower Trail Lake, 2.55 acres; latitude 67°27'15" N., longitude 149°22'07" W. (Homesite No. 121).

U. S. Survey No. 2519, lot H, 3.58 acres; latitude 60°25'30" N., longitude 149°22' W. (Homesite No. 40, Falls Creek Group).

U. S. Survey No. 2529, lot H, 4.59 acres; latitude 60°29'38" N., longitude 149°21' W. (Homesite No. 116, Moose Pass Group).

U. S. Survey No. 2757, lot 7, 4.48 acres; latitude 60°55'26" N., longitude 149°39'20" W. (Homesite No. 81, Porcupine Creek Group).

TONGASS NATIONAL FOREST

U. S. Survey No. 2669, lot 3A, 0.63 acre; latitude 58°22'42" N., longitude 134°38'33" W. (Homesite No. 312, Fritz Cove Group).

U. S. Survey No. 2672, lot 14B, 0.20 acre; latitude 58°22' N., longitude 134°38' W. (Homesite No. 1036, Fritz Cove Group).

U. S. Survey No. 2806, lot 8, 4.87 acres; latitude 55°29' N., longitude 131°48' W. (Homesite No. 895, Clover Pass Group).

U. S. Survey No. 2909, lot 2, group 3, 0.50 acre; latitude 58°23' N., longitude 134°39' W. (Homesite No. 955, Triangle Group).

On the southeast shore of Grant Island, Clover Passage, lot A, 4.93 acres; latitude 55°32'40" N., longitude 131°43'10" W. (Homesite No. 868).

U. S. Survey No. 2321, lot 8, 0.63 acre; lot 9, 0.63 acre;

U. S. Survey No. 2906, lot 7A, 1.60 acre; latitude 56°25'15" N., longitude 132°21'15" W. (Homesite No. 785, Section 1, Wrangell Highway Group).

U. S. Survey No. 2321, lot 1, 0.72 acre; U. S. Survey No. 2904, lot 1A, 0.75 acre; latitude 56°26'24" N., longitude 132°22'15" W. (Homesite No. 826, Wrangell Highway Group).

U. S. Survey No. 2321, lot 2, 0.65 acre; U. S. Survey No. 2904, lot 2A, 0.77 acre; latitude 56°26'24" N., longitude 132°22'15" W. (Homesite No. 769, Wrangell Highway Group.)

At point Louisa, lot 10, 0.52 acre; latitude 58°23' N., longitude 134°42' W. (Homesite No. 1035, Point Louisa Group).

On Baranof Island at head of Warm Springs Bay, adjacent to southeast boundary of Baranof Townsite, 1.04 acres; latitude 57°5'18" N., longitude 134°50'5" W. (Homesite No. 994).

OSCAR L. CHAPMAN,
Secretary of the Interior.

MAY 31, 1950.

[F. R. Doc. 50-4784; Filed, June 2, 1950; 8:48 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Corrected S. O. 851]

PART 95—CAR SERVICE

SUBSTITUTION OF REFRIGERATOR CARS FOR BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of May A. D. 1950.

It appearing, that the number of freight cars available for the movement of box car freight in the States of Oregon, California, and Arizona has seriously decreased recently; that at present the supply is insufficient to move such freight traffic of carriers serving those States; that there are certain SFRD and PFE refrigerator cars in that territory not suitable for transporting commodities requiring protective service and that such cars are suitable for transporting other freight; in the opinion of the Commission an emergency exists requiring immediate action in Oregon, California and Arizona: It is ordered, that:

§ 95.851 *Substitution of refrigerator cars for box cars.* (a) (1) Except as provided in subparagraph (2) of this paragraph, common carriers by railroad subject to the Interstate Commerce Act transporting carload freight from origins in the States of Oregon, California or Arizona and destined to points in the States of Oregon, California or Arizona, may, at their option, furnish and transport not more than three (3) refrigerator cars of SFRD or PFE ownership, not suitable for transporting commodities requiring protective service, in lieu of each box car ordered, subject to the carload minimum weight which would have applied if shipment had been loaded in a box car.

(2) On shipments on which the carload minimum weight varies with the size of the car,

(i) Two (2) refrigerator cars not suitable for transporting commodities requiring protective service may be furnished in lieu of one (1) box car ordered of a length of 40' 7", or less, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

(ii) Three (3) refrigerator cars not suitable for transporting commodities requiring protective service may be furnished in lieu of one (1) box car ordered of a length of over 40' 7", but not over 50' 7", subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

(b) *Application.* The provisions of this section shall apply to shipments moving in intrastate commerce as well as to those moving in interstate commerce.

(c) *Effective date.* This section shall become effective at 11:59 p. m., May 29, 1950.

(d) *Expiration date.* This section shall expire at 11:59 p. m., August 31, 1950, unless otherwise modified, changed, suspended or annulled by order of this Commission.

(e) *Rules and regulations suspended.* The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agents, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

It is further ordered that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-4787; Filed, June 2, 1950; 8:49 a. m.]

[S. O. 852]

PART 95—CAR SERVICE

GIANT REFRIGERATOR CARS IN LIEU OF EXPRESS REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of May A. D. 1950.

It appearing, that there is a shortage of express refrigerator cars in California, for shipment of strawberries and raspberries to Oregon and Washington, in the opinion of the Commission an emergency exists requiring immediate action in California, Oregon and Washington: It is ordered, that:

§ 95.852 *Giant refrigerator cars in lieu of express refrigerator cars*—(a) *Substitution of giant refrigerators.* Common carriers by railroad subject to the Interstate Commerce Act serving points in California, without regard to ownership, shall furnish for loading strawberries and raspberries, and transport in freight service, heavily insulated or super giant freight refrigerator cars, to points in Oregon and Washington, on certification of M. M. Frank, General Superintendent Transportation of the Railway Express Agency, at San Francisco, California, that said Railway Express Agency is unable to furnish express refrigerator cars for said movements in express service. Said certification shall be made in writing to Service Agent H. A. Huckaba, Room 101, Federal Office Building, San Francisco 2, California.

(b) *Giant refrigerator car defined.* For the purpose of this section, the term "giant refrigerator cars" is defined as refrigerator cars (1) with inside measurement between bulkheads (loading space) of not less than 37 feet 6 inches, and (2) convertible refrigerator cars with collapsible bunkers having inside length between bulkheads (loading space) of less than 37 feet 6 inches with bulkheads in place and in excess of 37 feet 6 inches with bulkheads collapsed.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with this section is hereby suspended.

(d) *Effective date.* This section shall become effective at 12:01 a. m., May 27, 1950.

(e) *Expiration date.* This section shall expire at 12:01 a. m., June 15, 1950, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-4788; Filed, June 2, 1950; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 53]

STANDARDS FOR GRADES OF CARCASS BEEF

NOTICE OF ORAL HEARING ON PROPOSED REVISION OF CERTAIN PROVISIONS

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that an oral hearing will be held at the instance of the Livestock Branch of the Production and Marketing Administration, U. S. Department of Agriculture, upon the proposed revision of certain provisions of the standards for grades of carcass beef (7 CFR 53.102–53.104) which was set forth in a notice of rule-making published in the FEDERAL REGISTER on May 12, 1950 (15 F. R. 2845) under the Agricultural Marketing Act of 1946 (60 Stat. 1087, 7 U. S. C. 1621 et seq.) and the items for Market Inspection of Farm Products and Marketing Farm Products recurring in the annual appropriation act for the Department of Agriculture and currently found in the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., 63 Stat. 324, 7 U. S. C. Supp. III 414).

The principal changes proposed in the notice of May 12, 1950, relate to steer, heifer, and cow beef only. It is proposed (1) to combine existing U. S. Prime and U. S. Choice grades into one grade to be designated U. S. Prime; (2) to redesignate the present U. S. Good grade as U. S. Choice; and (3) to divide the present Commercial grade into two grades with beef from high quality cattle that have not reached full maturity being graded as U. S. Good and all other beef currently graded as U. S. Commercial retaining such grade designation. Various other minor changes in the carcass beef standards are also proposed as set out in said notice.

At the hearing any interested person who wishes to do so may present, either orally or by submission of written documents and exhibits, any data, views or arguments which are relevant to the specific proposal set forth in the notice. The hearing will be limited to consideration of such specific proposal. As provided in the notice of May 12, 1950, written data, views and arguments relevant to the proposed revision may also be filed with the Director of the Livestock Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C., on or before July 11, 1950.

The oral hearing on the proposed revision will be held at 10:00 a. m., c. d. s. t., on June 28, 1950, in Room 582, United States Court House, Clark and Dearborn Streets, Chicago, Illinois.

Done at Washington, D. C., this 29th day of May 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50–4776; Filed, June 2, 1950; 8:48 a. m.]

[7 CFR, Part 927]

MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

TENTATIVE NOTICE WITH RESPECT TO RULES AND REGULATIONS

Pursuant to provisions of § 927.4 (b) of Order No. 27, as amended (7 CFR, 927.0 et seq.), regulating the handling of milk in the New York metropolitan milk marketing area, and of the Administrative Procedure Act (5 U. S. C., 1001 et seq.), a public meeting was held at New York, New York, on April 27, 1950, to consider proposals for the amendment of the rules and regulations heretofore issued (7 CFR 927.101 et seq.) pursuant to said order. Notice of said public meeting was issued on April 13, 1950, and published in the FEDERAL REGISTER on April 26, 1950 (15 F. R. 2369).

Notice is hereby given, subject to the approval of the Secretary of Agriculture, that the rules and regulations as heretofore amended will not be further amended prior to further consideration at another meeting.

Issued this 18th day of May 1950.

[SEAL] A. J. POLLARD,
Acting Market Administrator.

Approved: May 31, 1950.

CHARLES F BRANNAN.
Secretary of Agriculture.

[F. R. Doc. 50–4775; Filed, June 2, 1950; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR, Part 696]

BAKERY PRODUCTS INDUSTRY IN PUERTO RICO

MINIMUM WAGE RATE

On October 27, 1949, pursuant to section 5 (a) of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, I, as Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 389, appointed Special Industry Committee No. 6 for Puerto Rico, hereinafter called the committee, and directed the committee to investigate conditions in a number of industries in Puerto Rico specified and defined in the order, including the bakery products industry, and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the bakery products industry in Puerto Rico, the committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the bakery products industry, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico.

After investigating economic and competitive conditions in the bakery products industry in Puerto Rico, the committee filed with me a report containing its recommendation for a minimum wage rate of 35 cents per hour to be paid employees in the industry who are engaged in commerce or in the production of goods for commerce.

Pursuant to notice published in the FEDERAL REGISTER on February 25, 1950, and circulated to all interested persons, a public hearing upon the Committee's recommendation was held before Hearing Examiner Clifford P. Grant, as presiding officer, in Washington, D. C., on March 24, 1950, at which all interested parties were given an opportunity to be heard. After the hearing was closed the record of the hearing was certified to me by the presiding officer.

Upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendation of the Committee for a minimum wage rate in the bakery products industry in Puerto Rico, as defined, was made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 6 for Puerto Rico for a Minimum Wage Rate in the Bakery Products Industry in Puerto Rico", a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practive governing this proceeding (15 F. R. 1049), that I propose to approve such recommendation of the committee and to issue a wage order for the bakery products industry in Puerto Rico to read as set forth below to carry such recommendation into effect. Interested parties may submit written exceptions within 15 days from publication of this notice in the FEDERAL REGISTER. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Sec.
696.1 Approval of recommendation of industry committee.
696.2 Wage rate.
696.3 Notices of order.
696.4 Definition of the bakery products industry in Puerto Rico.

AUTHORITY: §§ 696.1 to 696.4 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 696.1 *Approval of recommendation of industry committee.* The committee's recommendation is hereby approved.

§ 696.2 *Wage rate.* Wages at the rate of not less than 35 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the bakery products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 696.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the bakery products industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 696.4 *Definition of the bakery products industry in Puerto Rico.* The bakery products industry in Puerto Rico, to which this order shall apply, is hereby defined as follows: The manufacture of bakery products of all kinds and of macaroni and other alimentary pastes.

Signed at Washington, D. C., this 26th day of May 1950.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division,
Department of Labor.

[F. R. Doc. 50–4783; Filed, June 2, 1950; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Part 41]

CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE CONTINENTAL LIMITS OF UNITED STATES

REQUIREMENT OF PROTECTIVE BREATHING EQUIPMENT IN NONPRESSURIZED CABIN AIRPLANES

Notice is hereby given that adoption of the following rules is contemplated. All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rules shall send them to the Civil Aeronautics Administration, Office of Aviation Safety, Washington 25, D. C., within 15 days after publication of this notice in the FEDERAL REGISTER.

§ 41.24c–2 *Requirement of protective breathing equipment in nonpressurized cabin airplanes (CAA rules which apply to § 41.24c (b)).* Protective breathing equipment for the flight crew shall be required in nonpressurized cabin aircraft having built-in carbon dioxide fire extinguisher systems in fuselage compartments (for example, cargo or combustion heater compartments); except that protective breathing equipment will not be required where:

(a) Not more than five pounds of carbon dioxide will be discharged into any one such compartment in accordance with established fire control procedures, or

(b) The carbon dioxide concentration at the flight crew stations has been determined in accordance with CAM 4b.662–1 and found to be less than 3 percent by volume (corrected to standard sea-level conditions).

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 604, 52 Stat. 1007, 1009, 1010; 49 U. S. C. 551, 553, 554)

[SEAL] DONALD W. NYROP,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50–4756; Filed, June 2, 1950; 8:45 a. m.]

[14 CFR, Part 42]

IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

REQUIREMENT OF PROTECTIVE BREATHING EQUIPMENT IN NONPRESSURIZED CABIN AIRPLANES

Notice is hereby given that adoption of the following rules is contemplated. All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rules shall send them to the Civil Aeronautics Administration, Office of Aviation Safety, Washington 25, D. C., within 15 days after publication of this notice in the FEDERAL REGISTER.

§ 42.29–2 *Requirement of protective breathing equipment in nonpressurized cabin airplanes (CAA rules which apply to § 42.29 (b)).* Protective breathing equipment for the flight crew shall be required in nonpressurized cabin aircraft having built-in carbon dioxide fire extinguisher systems in fuselage compartments (for example, cargo or combustion heater compartments); except that protective breathing equipment will not be required where:

(a) Not more than five pounds of carbon dioxide will be discharged into any one such compartment in accordance with established fire control procedures, or

(b) The carbon dioxide concentration at the flight crew stations has been determined in accordance with CAM 4b.662–1 and found to be less than 3 percent by volume (corrected to standard sea-level conditions).

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 604, 52 Stat. 1007, 1009, 1010; 49 U. S. C. 551, 553, 554)

[SEAL] DONALD W. NYROP,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50–4757; Filed, June 2, 1950; 8:45 a. m.]

[14 CFR, Part 61]

SCHEDULED AIR CARRIER RULES

REQUIREMENT OF PROTECTIVE BREATHING EQUIPMENT IN NONPRESSURIZED CABIN AIRPLANES

Notice is hereby given that adoption of the following rules is contemplated. All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rules shall send them to the Civil Aeronautics Administration, Office of Aviation Safety, Washington 25, D. C., within 15 days after publication of this notice in the FEDERAL REGISTER.

§ 61.266–2 *Requirement of protective breathing equipment in nonpressurized cabin airplanes (CAA rules which apply to § 61.266 (b)).* Protective breathing equipment for the flight crew shall be required in nonpressurized cabin aircraft having built-in carbon dioxide fire extinguisher systems in fuselage compartments (for example, cargo or combustion heater compartments); except that protective breathing equipment will not be required where:

(a) Not more than five pounds of carbon dioxide will be discharged into any one such compartment in accordance with established fire control procedures, or

(b) The carbon dioxide concentration at the flight crew stations has been determined in accordance with CAM 4b.662–1 and found to be less than 3 percent by volume (corrected to standard sea-level conditions).

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 604, 52 Stat. 1007, 1009, 1010; 49 U. S. C. 551, 553, 554)

[SEAL] DONALD W. NYROP,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50–4758; Filed, June 2, 1950; 8:45 a. m.]

NOTICES

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938, as amended.

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR, Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to

the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in those regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportwear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations (29 CFR, 522.160 to 522.165; as amended, January 25, 1950 (15 F. R. 399)).

Blue Bell Inc., Natchez, Miss.; supplemental certificate; effective 5–11–50 to 7–25–50; an additional 54 learners for expansion purposes.

Burlington Manufacturing Co., Concordia, Mo.; effective 5–3–50 to 7–25–50; 10 percent or 10 learners.

Chatham Dress Co., Crosskeys, N. J.; effective 5–10–50 to 7–25–50; 10 percent or 10 learners.

The Douglas Corp., Douglas, Ga.; effective 5–9–50 to 7–25–50; 20 learners for expansion purposes.

Elena Dress Co., 701 North Main St., Leominster, Mass.; effective 5–5–50 to 7–25–50; two learners.

Fay Sportwear Co., High Street, Burlington, N. J.; effective 5–5–50 to 7–25–50; two learners.

Freeman and Freeman, 229 Franklin Road, Roanoke, Va.; effective 5–10–50 to 7–25–50; three learners.

La-Rose Lingerie Co., 27 Garden Street, Poughkeepsie, N. Y.; effective 5–5–50 to 7–25–50; four learners.

The J. H. Levy & Son Co., 93 North Pleasant Street, Norwalk, Ohio; effective 5–5–50 to 7–25–50; four learners.

Little Prince Co., Windsor, Pa.; effective 5–9–50 to 7–25–50; four learners.

M. & S. Shirt Co., Inc., 32 High Street, Elizabeth 4, N. J.; effective 5–10–50 to 7–25–50; 10 percent or 10 learners.

Mauch Chunk Kiddy Kloes, 437 S Street, Mauch Chunk, Pa.; effective 5–5–50 to 7–25–50; five learners.

Maytex Knitting Mills of California, Inc., 9626 California Avenue, South Gate, Calif.; effective 5–8–50 to 7–25–50; two learners.

Mode O'Day Corp., Plant No. 9, 419 East South Street, Hastings, Nebr.; supplemental certificate; effective 5–10–50 to 7–25–50; an additional 20 learners for expansion purposes.

N. B. C. Garment Manufacturing Co., 252–258 East Main Street, Fall River, Mass.; effective 5–9–50 to 7–25–50; five learners.

Olyphant Dress Co., Inc., 129 River Street, Olyphant, Pa.; effective 5–9–50 to 7–25–50; 10 percent or 10 learners.

Rexmont Mills, Inc., Rexmont, Pa.; effective 5–4–50 to 7–25–50; 10 percent or 10 learners.

Sorbeau Juvenile Manufacturing Co., Dubuque, Iowa; effective 5–9–50 to 7–25–50; five learners.

Steingut Dress Co., 228 Everhart Street, Dupont, Pa.; effective 5–5–50 to 7–25–50; five learners.

Lovi Strauss and Co., 220 North Houston Avenue, Denison, Tex.; effective 5–9–50 to 7–25–50; 50 learners for expansion purposes.

Sybil Mills, Inc., Williamsport, Pa.; effective 5–10–50 to 7–25–50; 10 percent or 10 learners.

Vera Sportswear, Inc., 306–310 West Catawissa Street, Nesquehoning, Pa.; effective 5–5–50 to 7–25–50; five learners.

Sol Walter, Contracting Co., 16 Burd Street, Nyack, N. Y.; effective 5–5–50 to 7–25–50; seven learners.

Wyoming Frocks Co., Inc., 344 Wyoming Avenue, Wyoming, Pa.; effective 5–10–50 to 7–25–50; 10 percent or 10 learners.

Hosiery Learner Regulations (29 CFR, 522.40 to 522.51; as revised January 25, 1950 (15 F. R. 283)).

Ellis Hosiery Mills, P. O. Drawer 2467, Highway No. 17, Hickory, N. C.; effective 5–8–50 to 5–7–51; 5 percent learners.

Erwin Hosiery Mill, Inc., Graham, N. C., effective 5–8–50 to 5–7–51; five learners.

Great American Knitting Mills, Inc., Bechtelsville, Pa.; supplemental certificate; effective 5–9–50 to 1–8–51; 5 percent learners.

Kenbridge Hosiery Mills, Inc., Kenbridge, Va.; effective 5–10–50 to 5–9–51; five learners.

Ohio Willow Wood Co., Mount Sterling, Ohio; supplemental certificate; effective 5–11–50 to 1–10–51; three learners as knitting machine operators; 960 hours—60 cents for first 480 hours and 65 cents for remaining 480 hours.

Rollins Hosiery Mills, Inc., Des Moines, Iowa; supplemental certificate; effective 5–9–50 to 1–8–51; 17 learners.

Glove Learner Regulations (29 CFR, 522.220 to 522.222; as amended January 25, 1950 (15 F. R. 400)).

Craftmore Glove Co., Lynchburg, Tenn., effective 5–10–50 to 7–24–50; 10 percent learners.

Morrison-Schultz Manufacturing Co., 733 Broad Street, Grinnell, Iowa, effective 5–8–50 to 7–24–50; 3 learners.

Knitted Wear Learner Regulations (29 CFR, 522.68 to 522.79; as amended January 25, 1950 (15 F. R. 398)).

Athco, Inc., Athens, Ala., effective 5–8–50 to 7–25–50; 35 learners.

Regulations Applicable to the Employment of Learners (229 CFR, 522.1 to 522.14).

Joe M. Almand, Decatur, Ga.; effective 5–10–50 to 11–9–50; two learners; sewing machine operator, 160 hours, 60 cents.

Angwell Curtain Co., Inc., Greencastle, Ind.; effective 5–12–50 to 11–11–50; 10 learners; sewing machine operator, 320 hours, 60 cents.

Bolt Auto Parts Co., 643–45 South State Street, Salt Lake City, Utah; effective 5–11–50 to 11–11–50; one learner; one auto parts salesperson, 960 hours, 60 for the first 480 hours and not less than 65 cents for remaining 480 hours.

Connor Pottery, Route 2, Grand Junction, Tenn.; effective 5–9–50 to 11–8–50; one learner; pottery maker, 320 hours, 60 cents.

Crudup Manufacturing Co., Meridian, Miss.; effective 5–9–50 to 11–8–50; three learners; weaver, 160 hours, 60 cents.

Dize Awning & Tent Co., Winston-Salem, N. C.; effective 5–8–50 to 11–7–50; four learners; venetian blind assembler and slat cutter, 160 hours, sewing machine operator, 320 hours, 60 cents.

Elysburg Silk Throwing Co., Inc., Elysburg, Pa.; effective 5–8–50 to 11–7–50; three learners; machine operator, tender, fixer and jobs immediately incidental thereto, 240 hours, 60 cents.

Fabriko Inc., Green Lake, Wis.; effective 5–8–50 to 11–7–50; eight additional learners; hand embroiderers, 240 hours, 60 cents.

Holden-Lewis Co., Arabi, Ga.; effective 5–9–50 to 11–8–50; one learner; sewing machine operator, 320 hours, 60 cents.

International Packings Corp., Lake Street, Bristol, N. H.; effective 5–10–50 to 11–9–50; 20 additional learners; cutting and trimming machine operators 480 hours, 60 cents for first 320 hours, 65 cents for remaining 160 hours, milling and moulding, 320 hours, 65 cents.

Pilgrim Corp., Hinesville, Ga., effective 5–5–50 to 11–4–50; three learners; machine operators, tenders, fixers and jobs immediately incidental thereto, 260 hours, 60 cents.

Pinecrest Cotton Mills, Inc., Pine Bluff, Ark.; effective 5–10–50 to 11–9–50; 15 learners; sewing machine operator, 240 hours, 60 cents.

Sellers Manufacturing Co., Mercerizing Plant, Saxapahaw, N. C.; effective 1–25–50 to 7–25–50; 10 percent learners; machine operators, tenders, and fixers and jobs immediately incidental thereto, 240 hours, 60 cents.

Sellers Manufacturing Co., Silk Mill, Saxapahaw, N. C.; effective 1–25–50 to 7–25–50; 10 percent learners; machine operators, tenders, and fixers and jobs immediately incidental thereto, 240 hours, 60 cents.

Sellers Manufacturing Co., Cotton Mill, Saxapahaw, N. C.; effective 1–25–50 to 7–25–50; 10 percent learners; machine operators, tenders and fixers and jobs immediately incidental thereto, 240 hours, 60 cents.

Cayey Manufacturing Co., Inc., Cayey, P. R.; effective 3–25–50 to 10–24–50; 55 learners to be employed as follows: 10 in the occupation of inserting for 220 hours; 15 in the occupation of killing for 190 hours; 15 in the occupation of closing for 270 hours; 15 in the occupation of kip-seaming for 180 hours. The learner rate is not less than 27 cents an hour.

The following special learner certificates were issued in the Shoe Industry. These certificates authorize the employment of learners in any occupations except custodial, maintenance, supervisory, and office and clerical occupations. The learning period is 480 hours at not less than 65 cents an hour for the first 240 hours and not less than 70 cents an hour for the next 240 hours, except as otherwise indicated in parentheses.

Altoona Shoe Co., 2817 Industrial Avenue, Altoona, Pa.; effective 5–5–50 to 5–25–50; 25 learners.

Dixie Shoe Co., 385 Northeast 59th Street, Miami, Fla.; effective 5–11–50 to 5–25–50; 10 percent learners.

Lake Mills Shoe Co., Lake Mills, Wis., effective 5–5–50 to 5–25–50; 10 percent learners.

The following special learner certificates were issued to the school-operated industries listed below:

Madison College, Madison College, Tenn.; effective 1–25–50 to 7–24–50; food processing, skilled operations, 35 learners; office work, skilled operations, 5 learners; steam plant, skilled operations, 10 learners; 250 hours at 45 cents, 250 hours at 50 cents, 250 hours at 60 cents.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available except that employers of student-workers employed in school-operated industries were not required to certify to the nonavailability of experienced workers. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 22d day of May 1950.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 50–4759; Filed, June 2, 1950; 8:45 a. m.]

WESTERN UNION TELEGRAPH CO.

APPLICATION FOR PERMISSION TO EMPLOY MESSENGERS AT WAGES LOWER THAN MINIMUM WAGE

On March 9, 1950, notice was published in the FEDERAL REGISTER (15 F. R. 1288) that the Presiding Officer in the hearing held in this matter on December 22, 23, 28, 29, and 30, 1949, and January 4, 1950, had filed with the Administrator a finding and conclusion that no showing had been made that it is necessary, in order to prevent curtailment of employment opportunities, to provide for employment of messengers in the telegraph industry at wages lower than the minimum wage applicable under section 6 of the act, and a recommendation that the application of the Western Union Company be denied.

The notice recited that interested persons might, within 15 days from date of publication thereof, file with the Administrator exceptions and objections to the findings and recommendations of the Presiding Officer.

Pursuant to such notice the Western Union Company on March 23, 1950, submitted objections to the findings and recommendation of the Presiding Officer and requested opportunity for oral argument before the Administrator thereon.

Now, therefore, notice is hereby given that oral argument in this matter will be heard by the Deputy Administrator at 10:00 a. m., on Tuesday, June 20, 1950, in Room 5406 of the United States Department of Labor Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C.

Interested parties who wish to present oral argument are requested to notify me on or before June 19, 1950, of their intention to appear.

Signed at Washington, D. C., this 29th day of May 1950.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division,
Department of Labor.

[F. R. Doc. 50-4782; Filed, June 2, 1950; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9596]

PLATTE VALLEY BROADCASTING CORP. (KNEB)

ORDER CONTINUING HEARING

In re application of Platte Valley Broadcasting Corporation (KNEB), Scottsbluff, Nebraska, Docket No. 9596, File No. BP-7035; for construction permit.

The Commission having under consideration a petition filed May 19, 1950, by May Broadcasting Company (KMA), Shenandoah, Iowa, for a 30-day continuance of the hearing on the above-entitled application now scheduled for June 2, 1950, in Washington, D. C., and

It appearing, that petitioner has filed simultaneously with its petition for continuance a motion requesting the Commission to modify or clarify Issue No. 4 on which (among other issues) said hearing will be held; that petitioner cannot adequately prepare for the hearing until the motion to clarify Issue No. 4 is disposed of; that pursuant to § 1.741 of the Commission's rules, a petition for clarification or modification of an issue requires action by the Commission en banc; that the petition to continue the hearing is made so as to allow time for action by the Commission en banc on the petition to clarify Issue No. 4 in advance of petitioner's preparation for the hearing; and

It appearing further, that all parties to the proceeding and Commission Counsel have been served with notice of the petition for continuance of the hearing and with the motion for modification or clarification of issues; that the time within which opposition to said petition for continuance might have been filed has expired, and no opposition has been filed by anyone; that the petition sets forth good cause for the requested continuance; that the Hearing Examiner cannot, however, postpone the hearing for the 30 days requested because of conflict in her calendar with other hearings; that the earliest date available for the conduct of such hearing would be Wednesday, July 19, 1950;

Now, therefore, it is ordered, This 26th day of May 1950, that the petition of May Broadcasting Company (KMA) for continuance of the hearing on the above-entitled matter now scheduled for June 2, 1950, be, and it is hereby, granted, and said hearing be, and it is hereby continued to 10 o'clock a. m. Wednesday, July 19, 1950, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4786; Filed, June 2, 1950; 8:49 a. m.]

[Docket No. 9638]

GLOBE WIRELESS, LTD.

ORDER CONTINUING HEARING

In the matter of Globe Wireless, Ltd. Docket No. 9638, File No. 13681-C4-P-D, 13682-C4-P-D, 13850-C4-MP-E; applications for construction permits to authorize the move of certain transmitters to transmitting stations of Press Wireless, Inc.

The Commission having under consideration a petition filed May 15, 1950, by Globe Wireless, Ltd., requesting that the hearing in the above-entitled proceeding now scheduled for June 19, 1950, be continued to a date in the second week of September or the first week in October, 1950; and

It appearing, that good and sufficient cause has been shown for the granting of such petition and no opposition to the grant thereof has been filed;

It is ordered, This 26th day of May 1950, that such hearing be, and it is hereby, continued to October 2, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-4785; Filed, June 2, 1950; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1319]

ALGONQUIN GAS TRANSMISSION CO.

ORDER POSTPONING HEARING

On May 18, 1950, the Commission issued its order in the above-docketed matter fixing the date of hearing upon the application of Algonquin Gas Transmission Company (Algonquin) for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended. Such order provides, in part, as follows:

(A) A public hearing be held in Courtroom No. 4, 12th floor, United States Post Office Building, Boston, Massachusetts, commencing as soon as practicable following the hearing in Docket No. G-1267.

During the course of the hearing in Docket No. G-1267, now in progress, upon the application of Northeastern Gas Transmission Company for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, counsel for the National Coal Association, et al., orally moved upon the record that the hearing date upon the application of Algonquin be fixed as June 12, 1950. Such motion was concurred in by other counsel present at the hearing in Docket No. G-1267, representing parties who have been permitted to intervene in the proceeding in Docket No. G-1319. The oral motion, and concurrence of other counsel therein as set forth in the transcript of record have been transmitted to the Commission by the Presiding Examiner in Docket No. G-1267 for consideration by the Commission.

The Commission finds: Good cause exists for granting the motion for a continuance of the hearing in Docket No. G-1319 as hereinafter ordered.

The Commission orders: The public hearing in Docket No. G-1319, now set to commence "immediately following the hearings in Docket No. G-1267" be and the same is hereby postponed until June 12, 1950, at 10:00 a. m., e. d. s. t., in Courtroom No. 4, 12th Floor, United States Post Office Building, Boston, Massachusetts.

Date of issuance: May 29, 1950.

By the Commission.

[SEAL] S. A. WALKER,
Acting Secretary.

[F. R. Doc. 50-4760; Filed, June 2, 1950; 8:45 a. m.]

GENERAL SERVICES ADMINISTRATION

DELEGATION OF AUTHORITY TO HOUSING AND HOME FINANCE ADMINISTRATOR

ALLEVIATION OF DISASTER CAUSED BY RECENT FLOODS IN MINNESOTA, NEBRASKA, AND NORTH DAKOTA

1. Pursuant to authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949, authority is hereby delegated to the Housing and Home Finance Administrator acting through the Community Facilities Service, an organizational unit in the Office of the Administrator of the Housing and Home Finance Agency, to take all action authorized by or pursuant to Public Law 233, Eightieth Congress, entitled, "An act to make surplus property available for the alleviation of damage caused by flood or other catastrophe," and the Independent Offices Appropriation Act, 1950, for and in connection with the alleviation of damage, hardship, and suffering caused within the States of Minnesota, Nebraska, and North Dakota by recent floods in such States, subject to the terms and conditions as hereinafter set forth.

2. The authority conferred herein shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall further be exercised in cooperation with the Special Assistant to the Administrator in such Administration.

3. Grants or other expenditures of funds allotted from the Emergency Fund for the President shall be accounted for as expenditures of the General Services Administration under allotments established by it within the scope of this delegation. Expenses of the Housing and Home Finance Agency incident to administering this delegation shall be reimbursed to the Housing and Home Finance Agency by the General Services Administration out of funds available to the Administrator of General Services pursuant to said Public Law 233.

4. This delegation of authority shall be effective as of the date hereof.

Dated: May 24, 1950.

JESS LARSON,
Administrator.

Consented to:

RAYMOND M. FOLEY,
Administrator,
Housing and Home Finance Agency.

[F. R. Doc. 50-4777; Filed, June 2, 1950; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25136]

IRON AND STEEL ARTICLES BETWEEN POINTS IN OFFICIAL TERRITORY

APPLICATIONS FOR RELIEF

MAY 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for and on behalf of carriers parties to the tariffs listed on attached sheet.

Commodities involved: Manufactured iron and steel articles, carloads.

From: Points in New England territory.

To: Points in Trunk Line, Central and Illinois territories.

Between: Points in New England territory.

Grounds for relief: Circuitous routes and competition with motor carriers.

Schedules filed containing proposed rates:

Agent or carrier	I. C. C. Tariff No.	Supplement No.
I. N. Doe	272	95
Boston & Maine R. R.	A-3001	25
	A-3002	32
Central Vermont Ry.	A-7020	
	A-6942	18
D&H R. R. Corp.	3	(1)
Grand Trunk Ry.	277	(1)
New York Central (B&A)	(B&A) 9455	35
	(B&A) 9458	69
NYNH&H R. R.	F 3695	70
	F 4105	16
	F 4099	15

[1] The involved rates will be published in subsequent supplement to the involved tariffs at a later date.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-4771; Filed, June 2, 1950; 8:47 a. m.]

[4th Sec. Application 25137]

GRAIN FROM OKLAHOMA TO TEXAS

APPLICATION FOR RELIEF

MAY 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3832.

Commodities involved: Grain and grain products, also seeds, carloads.

From: Points in Oklahoma.

To: Points in Texas.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3832, Supplement 23.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-4772; Filed, June 2, 1950; 8:47 a. m.]

[4th Sec. Application 25138]

FORMALDEHYDE FROM SOUTHWEST TO WESTERN, ILLINOIS AND SOUTHERN TERRITORIES

APPLICATION FOR RELIEF

MAY 31, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariffs I. C. C. Nos. 3708, 3894, 3752 and 3880.

Commodities invloved: Liquid formaldehyde, tank carloads.

From: Points in Oklahoma and Texas.

To: Points in Western, Illinois, and Southern territories.

Grounds for relief: Competition with rail carriers, circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariffs I. C. C. Nos. 3708, 3894, 3752 and 3880, Supplements 252, 9, 440 and 4, respectively.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day pe-

riod, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-4773; Filed, June 2, 1950; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-188]

EASTERN UTILITIES ASSOCIATES

NOTICE OF FILING OF PLAN AND ORDER FOR HEARING ON STEP ONE THEREOF

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of May A. D. 1950.

Notice is hereby given that Eastern Utilities Associates ("EUA"), a registered holding company, has filed an application for approval of a Plan for it and its subsidiary public-utility companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935. The stated purpose of the Plan is to comply with an order of the Commission, dated April 4, 1950, issued in proceedings under sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the act. (See Eastern Utilities Associates and its Subsidiary Companies, Holding Company Act Release No. 9784).

EUA is a voluntary association, organized April 2, 1928, and existing under the laws of the Commonwealth of Massachusetts. It is solely a holding company, registered as such under the act, and has three direct subsidiaries, namely, Brockton Edison Company ("Brockton"), Blackstone Valley Gas and Electric Company ("Blackstone"), Fall River Electric Light Company ("Fall River") and Montaup Electric Company ("Montaup").

The following table indicates the outstanding securities of EUA and its subsidiaries, as at December 31, 1949, and the interest of EUA and others in such securities.

	Principal amount or number of shares outstanding	Held by EUA		Principal amount or number of shares held by others
		Number of shares	Percent of total outstanding	
EUA:				
2 percent bank loans	$630,000			$630,000
Common shares	685,700¾			685,700¾
Convertible shares	789,688			789,688
Brockton:				
3 percent first mortgage and collateral trust bonds	4,000,000			4,000,000
Capital stock, $25 par value	241,398	235,138	97.4	6,260
Blackstone:				
3 percent first mortgage and collateral trust bonds	10,644,000			10,644,000
4.25 percent preferred stock, $100 par value	35,000			35,000
Common stock, $50 par value	173,234	171,804	99.2	1,430
Fall River:				
3¼ percent first mortgage bonds	2,000,000			2,000,000
Employees' stock, $10 par value	5,000			5,000
Capital stock, $25 par value	210,000	77,456	36.8	[1] 132,544
Montaup:				
2 percent bank loans	1,770,000			1,770,000
Preferred stock, $100 par	15,000			[2] 15,000
Common stock, $100 par	133,979			[2] 133,979

[1] New England Electric System ("NEES"), also a registered holding company, owns 118,161 shares of Fall River's capital stock or 56.3 percent of the voting power.

[2] Blackstone, Brockton and Fall River own all of Montaup's preferred and common stock and each has approximately one-third of the total voting power of such stock.

The Commission's order dated April 4, 1950, in effect, provides that (1) EUA shall, within one year, terminate its existence and distribute its assets to its shareholders pursuant to a fair and equitable plan, or (2) within one year acquire a minimum of 90 percent of the outstanding common stock of all of its subsidiary companies and reclassify its common and convertible shares into a single class of stock, namely common stock, to be allocated among its security holders pursuant to a fair and equitable plan. The order further provides, in effect, that in the event of the adoption of the latter alternative, EUA shall, within said one-year period, sever its direct or indirect ownership or control of the gas properties owned by Blackstone.

All interested persons are referred to said Plan, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

The Plan proposes as Step One thereof that EUA will issue to the First National Bank of Boston under a bank loan agreement, promissory notes in an amount up to but not exceeding $9,375,000. Such notes will be due one year from the date of issuance thereof and will bear interest at the rate of 2¼ percent per annum, subject to the payment of a single charge of ¼ of 1 percent as compensation for the commitment. Under the bank loan agreement, EUA will have the right to renew such loan from year to year for an additional period of 2 years, such loan renewal privilege being subject to the approval of the Commission. EUA will use the proceeds to be derived from said proposed promissory notes (a) to purchase from NEES the 118,161 shares of Fall River's capital stock, held by it at $65 per share in accordance with an agreement entered into between NEES and EUA, dated April 27, 1950, and (b) to purchase such additional shares of Fall River's capital stock as the remaining public holders thereof will sell to EUA on a similar basis. The plan indicates that it is presently contemplated that the proposed temporary bank debt of EUA, including the 2 percent bank loans presently outstanding in the aggregate face amount of $630,000, will be retired by the permanent financing proposed in Step Two of the Plan. It is stated that the type and the amount of securities to be sold in connection with such permanent financing will depend on conditions existing at the time of such sale and will be filed in a subsequent amendment to the Plan.

It is contemplated that Step One will be consummated before hearings are commenced on Step Two which is briefly summarized below:

Under the terms of Step Two of the Plan, a New Company, incorporated in Massachusetts and to be registered as a holding company, will acquire the utility properties and other assets of Montaup, Brockton, Fall River and EUA.

The New Company will also acquire a new issue of bonds and common stock of Blackstone and Blackstone will redeem and call its presently outstanding bonds and preferred stock. The New Company will assume and discharge the bank debt of EUA and assume all other liabilities of EUA. It will also assume all liabilities of Montaup, Brockton and Fall River other than Brockton's and Fall River's outstanding bonds which will be redeemed by those companies. EUA will be terminated and Brockton, Fall River and Montaup will be dissolved.

The Plan contemplates that the New Company will issue and sell to the public senior securities consisting of $22,000,000 principal amount of First Mortgage and Collateral Trust Bonds and $8,500,000 of preferred stock, aggregating $30,500,000. In addition New Company will authorize an issue of new common stock having an aggregate par or stated value of $19,381,000. The interest rate and maturity date of the proposed bonds of the New Company, the number of shares and par value of the proposed preferred stock of the New Company, and all other terms and provisions of such securities will be set forth in a subsequent amendment to the Plan. The bonds and common stock of Blackstone acquired by the New Company will be pledged under the New Company bonds. The new common stock will be distributed to the common and convertible shareholders of EUA, the minority stockholders of Brockton, Fall River and Blackstone and to the holders of employee's stock of Fall River on a basis to be set forth in the subsequent amendment to the proposed Plan, which, it is stated, will be filed after the order of the Commission on Step One is effective. In addition to the above securities, the New Company will have outstanding the assumed bank loan of Montaup which as at December 31, 1949, amounted to $1,770,000.

Under the Plan it is indicated that the severance of EUA's relationship with the gas properties owned by Blackstone will be accomplished by the termination of EUA and by the New Company causing the disposition of such gas properties in an appropriate manner.

The Plan provides for the mechanics of distributing the new common stock to be issued by the New Company but, as heretofore noted, the allocation of such stock among the system security holders will be filed by subsequent amendment. It is stated in the Plan that (a) any action taken by EUA in accordance with

the terms of the Plan will be taken without the vote of its stockholders; (b) the manner of selecting the directors of the New Company will be set forth in a subsequent amendment to the Plan; (c) all fees and expenses in connection with the Plan or the proceedings with respect thereto will be allocated to and paid by the New Company and Blackstone as the Commission shall determine, award, or allocate upon the petition of interested parties; (d) at the time EUA acquires the securities of Fall River now held by NEES, service arrangements will be made with Fall River and existing service arrangements with Brockton and Blackstone will be revised; (e) when the New Company acquires the property of Brockton, Fall River and Montaup, the existing service arrangements with those companies will be terminated and new advisory arrangements will be entered into by the New Company with Stone & Webster Service Corporation, but no change will be made in the arrangement then in force with Blackstone; and (f) the service arrangements between the New Company and Blackstone will be terminated 30 days after the holding of the first meeting of the stockholders of the New Company for the election of new directors.

The Applicants request that the Commission, pursuant to section 11 (e) of the act, apply to a United States District Court to enforce the provisions of the Plan, other than those in Step One, and that the effective date of the Plan be as set by the Court.

The Commission being required by the provisions of section 11 (e) of the act to find, after notice and opportunity for hearing and before approving any Plan filed thereunder, that such Plan, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to all persons affected thereby; and

It appearing to the Commission that it is appropriate to grant the request of EUA that any and all issues or questions which may arise in connection with Step One be separated for hearing and decision from the other issues and questions of the Plan and it being appropriate that notice be given and a hearing be held for the purpose of ascertaining what action should be taken on Step One of the Plan:

It is hereby ordered, That the transactions set forth as Step One of the Plan and all issues or questions which may arise in these proceedings in connection therewith be, and the same is, separated from the other transactions of the Plan for hearing and disposition.

It is further ordered, That a hearing be held on the transactions set forth as Step One of the Plan filed by EUA and its subsidiary companies pursuant to section 11 (e) of the act and on all questions and issues which may arise in connection therewith.

It is further ordered, That said hearing on Step One of the Plan be held on the 20th day of June, 1950 at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., in such room as may be designated on such date by the hearing room clerk. Any person desiring to be heard in connection with any transaction set forth in Step One of the Plan or any other transaction of this Plan or proposing to intervene in this proceeding shall file with the Secretary of the Commission, on or before June 16, 1950, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Harold B. Teegarden or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside in any such hearing is hereby authorized to exercise all of the powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the Plan and that, upon basis of said examination, the following matters and questions are presented for consideration with respect to Step One of said Plan, without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether the proposed issue and sale of short-term promissory notes by EUA are consistent with the public interest and the interest of investors and consumers and with the applicable standards of sections 6 (a) and 7 of the act, and, particularly, whether the proposed notes are reasonably adapted to the security structure of EUA and its subsidiary companies, as presently constituted and as contemplated.

(2) Whether the proposed acquisition of common stock of Fall River satisfies the standards of section 10 of the act, and, particularly, the standards of section 10 (b) and 10 (c) (2).

(3) Whether the transactions proposed as Step One of the Plan in all respects comply with the applicable provisions of the act and the rules promulgated thereunder and whether such transactions are fair and equitable to all persons affected thereby and are necessary to effectuate the provisions of section 11 (b) of the act.

(4) Whether the accounting entries in connection with Step One of the proposed Plan are appropriate and in accordance with sound accounting practice.

(5) What terms and conditions, if any, should be contained in the Commission's order with respect to Step One of the Plan.

It is further ordered, That at such hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That jurisdiction be, and it hereby is, reserved to consolidate with this proceeding or to separate further, in whole or in part, either for hearing or for disposition, any issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve notice of such hearing by mailing a copy of this order by registered mail to Eastern Utilities Associates, Blackstone Valley Gas and Electric Company, Brockton Edison Company, Fall River Electric Light Company, Montaup Electric Company, New England Electric System, the Massachusetts Department of Public Utilities, the Public Utility Administrator of Rhode Island and the Federal Power Commission and that notice of said hearing be given to all other interested persons by general release of the Commission and by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Eastern Utilities Associates mail a copy of this notice and order to all of its stockholders of record, all of the stockholders of record of Blackstone Valley Gas and Electric Company, Brockton Edison Company and Fall River Electric Light Company, and all known note holders and bond holders of such companies at least 15 days prior to June 20, 1950.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-4768; Filed, June 2, 1950; 8:47 a. m.]

[File No. 54-189]

AMERICAN POWER & LIGHT CO.

NOTICE OF FILING OF PLAN AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May A. D. 1950.

I. Notice is hereby given that American Power & Light Company ("American"), a registered holding company, on May 24, 1950, filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") for approval of a plan stated to be in partial compliance with the requirements of section 11 of the act ("Cash Distribution Plan" or "Plan"). The plan proposes a reduction in American's capital and a pro rata cash distribution of $16,139,211.79, in partial liquidation, to its stockholders.

All interested persons are referred to said Plan which is on file in the offices of the Commission for a complete statement of the transactions therein proposed. The principal provisions of the Plan may be summarized as follows:

II. 1. Pursuant to authorization contained in this Commission's order of February 3, 1950 (File No. 70-2298) American sold 500,000 shares (100%) of the common stock of its electric utility subsidiary, Pacific Power & Light Company ("Pacific"), for a base price of $16,125,000.

2. On February 15, 1950, American distributed, pursuant to a plan approved by this Commission on October 4, 1949, under section 11 (e) of the act (File No. 54-168) ("Principal Plan"), in exchange for its then outstanding preferred and common stocks, all of its assets except the common stocks of The Washington Water Power Company, Portland Gas & Coke Company, certain miscellaneous assets, and cash including the $16,125,000 cash proceeds from the sale of the com-

mon stock of Pacific. After the above mentioned distributions under its Principal Plan American's preferred and common stocks were reclassified into a single class of new capital stock consisting of 2,342,411 shares without nominal or par value and American's capital was reduced to $67,000,000.

3. Under the Cash Distribution Plan American proposes, promptly after the entry by a United States District Court of an order approving and enforcing the Plan, to reduce its capital from $67,000,000 to $50,875,000 and to amend its certificate or organization to reflect such reduction of capital.

4. American will thereupon distribute to the holders of its capital stock $6.89 per share for each of the 2,342,411 shares of capital stock issued or issuable pursuant to its Principal Plan. The aggregate distribution will amount to $16,139,211.79, representing the $16,125,000 proceeds of the sale of American's holdings of common stock of Pacific plus an amount sufficient to bring the distribution to the next even penny per share.

5. The Commission is requested in the event it approves the Plan to apply to an appropriate District Court of the United States for its enforcement.

6. The distribution will be made by American as soon as practicable after entry of a Court order approving and enforcing the Plan. Following entry of such order, American will fix a Record Date (to be not more than ten days after entry of said order, excluding Saturdays, Sundays and holidays) and a Distribution Date (to be not more than fourteen days after the Record Date, excluding Saturdays, Sundays and holidays) with respect to said distribution and will promptly notify the Commission in writing of such dates.

7. The distribution of $6.89 for each of the 2,342,411 shares of capital stock of American issued and issuable pursuant to the Principal Plan.

(a) Will be payable by American on the Distribution Date to the holders of record of shares of such capital stock at the close of business on the Record Date; and

(b) With respect to the shares of capital stock which shall not have been issued on or prior to the Record Date the distribution will be payable by American to City Bank Farmers Trust Company, New York, New York, as distribution agent under the Principal Plan, for account of the respective holders who have not surrendered their shares of the former preferred and/or common stocks of American.

The payments referred to in (a) above will be made by checks of American mailed on the Distribution Date.

The payments referred to in (b) above will be made by checks of American delivered to the distribution agent.

8. It is stated that the distributions provided for in the Plan will be in partial liquidation of American and in complete cancellation and redemption of a part of American's capital stock and in part payment therefor.

9. The holders of certificates for shares of the former preferred and common stocks of American (or scrip therefor) who do not surrender such certificates prior to February 15, 1955, to the distribution agent acting under the Principal Plan, will under the Cash Distribution Plan cease on February 15, 1955, to have any right or interest in the money paid to the distribution agent as provided in the Cash Distribution Plan, and shall have no rights in substitution therefor. It is further provided that if American shall not theretofore have been dissolved that the distribution agent shall after February 15, 1955, thereupon pay to American, or if American shall theretofore have been dissolved, to the person or persons appointed by a court of competent jurisdiction to administer its affairs in dissolution, any remaining balance of the payment made to the distribution agent pursuant to the Cash Distribution Plan.

Until the Plan is approved by the Commission, the Plan may be withdrawn or modified or amended by American in any respect or particular. After the Plan is approved by the Commission and before it is approved by the Court the Plan may be withdrawn or modified or amended by American in any respect or particular with the approval of the Commission. After the Plan is approved by the Court and before the Plan has been consummated the Plan may be withdrawn or modified or amended by American in any respect or particular with the approval of both the Commission and the Court.

American requests that any order of the Commission approving the Plan recite that the relevant transactions of the Plan are necessary or appropriate to the integration or simplification of the holding company system of which American is a member and necessary or appropriate to effectuate the provision of subsection (b) of section 11 of the act within the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

While application for approval of the Plan is pending or while the Plan is being carried out American reserves the right to dispose of any securities or other assets or take any other action in a manner consistent with the provisions of the Plan and of the act and other applicable provisions of law.

III. The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find, after notice and opportunity for hearing, that the plan as submitted or as modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby, and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan to afford all interested persons an opportunity to be heard with respect thereto:

It is ordered, That a hearing on the Plan filed by American on May 24, 1950 be held on June 12, 1950 at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At such hearing consideration will be given to the Plan.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the Plan and upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the Plan as submitted or as it may be modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

2. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder and whether any modification should be required to be made therein and whether any terms and conditions should be imposed to satisfy applicable statutory standards.

It is further ordered, That notice of this hearing be given by registered mail to American and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to persons on the mailing list for releases under the act, and that further notice be given to all other persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That American shall give notice of the filing of the Cash Distribution Plan, the principal provisions thereof, and of the hearing herein ordered, by appropriate letter mailed at least ten days prior to the date set for said hearing to each of its security holders, including holders of its former preferred and common stocks who have not surrendered such shares under the Principal Plan (insofar as the identity of such security holders is known or available to American).

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

F. R. Doc. 50-4764; Filed, June 2, 1950; 8:46 a. m.]

[File No. 70-1409]

GENERAL PUBLIC UTILITIES CORP. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May 1950.

In the matter of General Public Utilities Corporation, Metropolitan Edison

Company, Edison Light and Power Company, File No. 70-1409.

General Public Utilities Corporation ("GPU"), a registered holding company, and its subsidiary, Metropolitan Edison Company ("Met Ed"), and Edison Light and Power Company ("Edison"), a subsidiary of Met Ed, having filed a joint application-declaration and amendments thereto pursuant to sections 12 (b), 12 (c), 12 (d), 12 (f) and 12 (g) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, and U-44 promulgated thereunder with respect to the following proposed transactions:

Met Ed, owner of all the outstanding common stock of Edison, proposes to merge Edison into itself and effect a dissolution of Edison in exchange for the surrender for cancellation of all the latter's issued and outstanding capital stock, and the assumption of all of Edison's duties, obligations and debt, including particularly $305,000 principal amount of First Mortgage 3½ percent Bonds, due February 1, 1966, issued by Glen Rock Electric Light and Power Company (to which Edison is successor). Promptly upon consummation of such merger, Met Ed will call for redemption and redeem the then outstanding Glen Rock Electric Light and Power Company bonds. The proposed transactions were approved by the Pennsylvania Public Utility Commission by its order dated August 22, 1949, as amended by its order dated February 6, 1950.

Said application-declaration, as amended having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and that no adverse findings are necessary and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective.

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application-declaration be and the same hereby is granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-4766; Filed, June 2, 1950; 8:46 a. m.]

[File No. 70-2373]

MISSOURI POWER & LIGHT CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May 1950.

Missouri Power & Light Company ("Missouri Power"), a subsidiary of North American Light & Power Company, a registered holding company has filed an application and an amendment thereto with the Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") regarding the following transactions:

Missouri Power proposes to issue and sell to the Chase National Bank of the City of New York, New York, unsecured promissory notes in the aggregate principal amount of $2,400,000 maturing on December 31, 1951, and bearing interest at the rate of 2 percent per annum from the date of said notes. The said notes will be issued and sold pursuant to the terms and provisions of a proposed Credit Agreement to be entered into between Missouri Power and said bank. Said agreement provides, among other things, for the granting of loans by said bank to Missouri Power in the aggregate principal amount of $2,400,000 up to and including March 15, 1951, the first loan in the amount of $500,000 to be completed on or before June 15, 1950, with the balance to be available as needed by applicant. The agreement also provides that Missouri Power shall have the right at any time to prepay any of the notes, in whole or in part, upon payment of accrued interest on the principal sum prepaid.

Missouri Power states that said loans are for the purpose of providing a portion of the funds necessary to finance its currently accruing construction costs estimated for 1950 in the amount of $3,438,500. The company represents that it intends to fund said loans and replenish its treasury cash by the issue and sale of stock or by some other form of permanent financing in 1951.

The issuance and sale of such notes have been authorized by the Missouri Public Service Commission, the State Commission of the State in which the applicant is organized and doing business.

The fees and expenses to be incurred in connection with the proposed transactions are estimated in the amount of $2,950 including $500 of legal fees.

Said application having been filed on April 17, 1950, and the amendment thereto having been filed on April 24, 1950, and notice of such filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application, as amended, that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied, that no adverse findings are necessary and that the estimated fees and expenses are not unreasonable; and the Commission deeming it unnecessary in the public interest and the interest of investors or consumers to impose any terms or conditions under the provisions of section 6 (b) of the act with respect to the proposed issuance and sale of securities other than as specified below; and the Commission deeming it appropriate in the public interest and the interest of investors and consumers that said application, as amended, be granted forthwith:

It is ordered, Pursuant to Rule U-23, that said application, as amended, be, and the same hereby is, granted forthwith, subject to the terms and conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-4765; Filed, June 2, 1950; 8:46 a. m.]

[File No. 70-2381]

WISCONSIN ELECTRIC POWER CO. AND WISCONSIN NATURAL GAS CO.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May 1950.

Wisconsin Electric Power Company ("Wisconsin Electric"), a registered holding company, and its public utility subsidiary, Wisconsin Natural Gas Company, formerly Wisconsin Gas and Electric Company ("Wisconsin Gas"), have filed joint applications-declarations and amendments thereto, pursuant to the provisions of sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42, U-43, U-44 and U-50, promulgated thereunder, with respect to the following proposed transactions:

Wisconsin Gas proposes to sell and Wisconsin Electric proposes to acquire all of the electric properties of Wisconsin Gas, including certain related assets and liabilities, for cash and the surrender to Wisconsin Gas by Wisconsin Electric of 150,000 shares of Common Stock, $20 par value, of Wisconsin Gas.

Wisconsin Electric proposes to record such electric properties at their original cost, amounting to $21,989,260.90, at February 28, 1950, and to record on its books the applicable reserve for depreciation amounting to $8,116,026.26 at that date. As of the same date, materials and supplies to be acquired by Wisconsin Electric amounted to $460,681.63, and certain liabilities of Wisconsin Gas to be assumed by Wisconsin Electric, namely, customers' surety deposits plus accrued interest thereon, and contributions in aid of construction, amounted to $467,971.25. In consideration for the total net assets to be acquired, aggregating $13,865,944.34, at February 28, 1950, Wisconsin Electric proposes to surrender such 150,000 shares of Common Stock of Wisconsin Gas, at the average aggregate cost thereof to Wisconsin Electric of $3,342,361, and to pay the balance in cash, in the amount of $10,523,583.34. The purchase price will be adjusted to reflect changes accruing between February 28, 1950, and June 9, 1950, the anticipated closing date. It is estimated by the companies that

the purchase price will be increased by approximately $350,000 as the result of normal construction and operating activities of Wisconsin Gas during such period.

In giving effect to the receipt of 150,000 shares of its own Common Stock as the consideration, in part, for the properties proposed to be transferred, Wisconsin Gas proposes to charge to earned surplus, as premium on reacquired stock, the difference of $342,361 between the average aggregate cost to Wisconsin Electric of such stock and the par value thereof. The 150,000 shares of reacquired Common Stock will be retired by Wisconsin Gas.

Wisconsin Electric further proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act, $15,000,000 principal amount of First Mortgage Bonds, __ Percent Series due 1980 ("New Electric Bonds") to be issued under a Mortgage and Deed of Trust, dated October 28, 1938, as amended and supplemented by the Second Supplemental Indenture, dated June 1, 1946, as further supplemented by the Third Supplemental Indenture, dated March 1, 1949, and as further supplemented by a Fourth Supplemental Indenture, to be dated June 1, 1950. The coupon rate, per annum, for the New Electric Bonds (to be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be received by Wisconsin Electric for the New Electric Bonds (to be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) are to be determined by the bidding.

Wisconsin Electric also proposes to issue and sell for cash a maximum of 585,405 shares of its Common Stock, par value $10 per share. The Company will issue to the holders of its outstanding 2,927,021 shares of Common Stock, transferable warrants carrying: (a) The right to subscribe for shares of Common Stock on the basis of one share for each five shares of Common Stock held; and (b) the privilege to subscribe at the same subscription price per share for any additional number of shares not subscribed for through the exercise of rights to subscribe, subject to pro rata allotment of such additionally subscribed shares. The record date for determining holders of Common Stock entitled to subscribe, the period of the offering, and the subscription price per share of Common Stock are to be supplied by amendment at the time the results of competitive bidding for the New Electric Bonds are filed. The Common Stock offering is not to be underwritten, and the Company reserves the right to issue and sell any Common Stock not subscribed for pursuant to the subscription offer.

The proceeds of the proposed issuance and sale of the New Electric Bonds and Common Stock by Wisconsin Electric are to be used, as above set forth, to pay a portion of the purchase price to Wisconsin Gas for its electric properties and related net assets, and the balance of the proceeds, estimated at approximately $14,500,000, will be used to defray, partially, construction expenditures in the year 1950, estimated at approximately $17,719,000.

Wisconsin Gas proposes to apply the cash received from the sale of its electric properties and related net assets, together with treasury cash, to the redemption of its First Mortgage Bonds, 3½ percent Series due 1966, presently outstanding in the principal amount of $10,500,000, at the redemption price of 102¾ percent thereof, plus accrued and unpaid interest to the date of redemption, which aggregates $10,788,750.

Wisconsin Gas also proposes to redeem its outstanding 33,425 shares of Preferred Stock, 4½ percent Series, which are redeemable at $105 per share plus accrued dividends to the redemption date. In order to obtain funds for such redemption, Wisconsin Gas proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act, $3,500,000 principal amount of First Mortgage Bonds, ___ Percent Series due 1975 ("New Gas Bonds"), to be issued under a Mortgage and Deed of Trust, to be dated June 1, 1950, and under a First Supplemental Indenture, also to be dated June 1, 1950. The coupon rate per annum for the New Gas Bonds (to be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be received by Wisconsin Gas for such bonds (to be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) are to be determined by the bidding.

The Public Service Commission of Wisconsin, the only State Commission having jurisdiction over the proposed transactions and the State Commission of the State in which both Wisconsin Electric and Wisconsin Gas are organized and doing business, has, under date of May 18, 1950, duly authorized the proposed issuance and sale by Wisconsin Electric of New Electric Bonds and additional Common Stock, the issuance and sale of New Gas Bonds by Wisconsin Gas, the purchase by Wisconsin Electric, and the sale to it by Wisconsin Gas, of the electric properties and related net assets of the latter-named Company, the surrender by Wisconsin Electric of 150,000 shares of Common Stock of Wisconsin Gas to the latter-named Company and the cancellation of said shares of stock by it, and the redemption and retirement by Wisconsin Gas of its outstanding bonds and preferred stock.

Said applications-declarations having been filed on April 28, 1950, and amendments thereto having been filed on May 5, and May 23, 1950, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said applications-declarations, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said applications-declarations, as amended, that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied, and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said applications-declarations, as amended, be granted and permitted to become effective, subject to the terms and conditions specified below; and the Commission deeming it appropriate to grant the request of applicants-declarants that the period provided by Rule U-50 for invitation of bids be shortened so that bids may be opened on June 5, 1950, and that the order herein become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the applications-declarations, as amended, be, and the same hereby are, granted, and permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24 and to the following additional conditions:

(a) That the proposed issuance and sale of New Electric Bonds and additional Common Stock by Wisconsin Electric and the issuance and sale of New Gas Bonds by Wisconsin Gas shall not be consummated until the results of competitive bidding for such bonds, pursuant to Rule U-50, and the proposed subscription price for the additional Common Stock shall have been made a matter of record in these proceedings and a further order or orders shall have been entered by the Commission in the light of the record so completed, which order or orders may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose; and

(b) That Wisconsin Electric shall not issue and sell any of the 585,405 shares of its Common Stock not subscribed for pursuant to the subscription offer unless and until a further amendment shall have been filed herein setting forth the terms of any such proposed sale and the Commission shall have issued a further order granting and permitting to become effective the applications-declarations, as further amended.

It is further ordered, That the ten-day notice period provided by Rule U-50, for invitation of bids, be, and the same hereby is, shortened to a period of not less than six days.

It is further ordered, That jurisdiction be, and the same hereby is, reserved with respect to the payment of all fees and expenses, incurred or to be incurred in connection with all of the proposed transactions, including fees and expenses of counsel for the underwriters which fees and expenses are to be paid by the successful bidders.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-4762; Filed, June 2, 1950; 8:46 a. m.]

[File No. 70-2384]

NORTHERN NATURAL GAS CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Washington, D. C., on the 29th day of May 1950.

Northern Natural Gas Company ("Northern Natural"), a registered holding company, has filed a declaration and amendments thereto pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder with respect to the following transactions:

Northern Natural proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $40,000,000 principal amount of -- percent Serial Debentures, dated May 1, 1950, Due 1953–1970, to mature serially at the rate of $2,000,000 principal amount in each of the years 1953 to 1965, $2,400,000 principal amount in each of the years 1966 to 1969, and $4,400,000 principal amount in 1970. Said Debentures are to be issued under the terms and conditions of an Indenture, dated May 1, 1950, between Northern Natural and the Harris Trust and Savings Bank, Chicago, Illinois, as Trustee. The interest rate on said Debentures (to be a multiple of ⅛ of 1 percent) and the aggregate price (exclusive of accrued interest and to be not less than 99 percent and not more than 102¾ percent of the principal amount of said Debentures) to be received by Northern Natural are to be determined by competitive bidding.

Northern Natural estimates the proceeds to be realized from the proposed sale of the Debentures at a minimum of $39,600,000 exclusive of accrued interest and before deducting expenses in connection with such sale. Northern Natural states that such proceeds, together with the estimated proceeds of approximately $10,000,000 realized from the sale of additional common stock recently offered to the company's common stockholders through a rights offering, and general funds of the company, will be applied toward expenditures in 1950 for construction of additional property and facilities, estimated in the amount of $51,950,000.

The Nebraska State Railway Commission has issued its order authorizing Northern Natural to issue and sell said Debentures, and the State Corporation Commission of the State of Kansas has issued a Memorandum Opinion stating that it will issue a certificate upon receipt of the results of competitive bidding.

Northern Natural estimates that its fees and expenses to be incurred in connection with the proposed issuance and sale will not exceed $143,000, including legal fees of $1,000, accounting fees and expenses of $1,245, and engineering fees of $10,103.20, including expenses in the amount of $780.20. A portion of said engineering fees and expenses, estimated in the amount of $2,000, has been allocated by Northern Natural for engineering services in connection with its recent common stock rights offering. Fees and expenses of counsel for the prospective purchasers are to be paid by the successful bidder. Such fees, estimated in the amount of $12,500, plus expenses estimated not to exceed $500, are payable to the firm of Fam, Hurd & Reichmann, of Chicago, Illinois.

Said declaration having been filed on May 1, 1950, and amendments thereto on May 9 and May 26, 1950, and notice of such filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration, as amended, that the applicable provisions of the act and rules promulgated thereunder are satisfied, that no adverse findings are necessary; and the Commission deeming it appropriate that jurisdiction should be reserved over all fees and expenses for legal, accounting and engineering services; and the Commission deeming it appropriate in the public interest and the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith, subject to the following reservations of jurisdiction:

It is ordered, Pursuant to Rule U-23 that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and subject to the further condition that the proposed sale of Debentures by Northern Natural shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction is hereby reserved.

It is further ordered, That jurisdiction be, and the same hereby is, reserved over all legal fees and expenses, including those of counsel for the successful bidder, and accounting and engineering fees and expenses.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50–4769; Filed, June 2, 1950; 8:47 a. m.]

[File No. 70–2385]

NASSAU & SUFFOLK LIGHTING CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May A. D. 1950.

Nassau & Suffolk Lighting Company, an indirect subsidiary of Long Island Lighting Company, a registered holding company, having filed a declaration pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act"), with respect to the following transaction:

Declarant proposes to issue and sell for cash at principal amount to four commercial banks an aggregate of $3,800,000 principal amount of unsecured notes which will bear interest at the rate of 2½ percent per annum and will mature on December 15, 1950. The proceeds of the sale of the notes are to be used to repay all of the company's presently outstanding bank loans in the face amount of $3,800,000 which bear interest at 2½ percent per annum and mature May 31, 1950.

Pursuant to section 11 (e) of the act this Commission has approved a plan for the consolidation of declarant with Long Island Lighting Company and the latter's subsidiary company, Queens Borough Gas and Electric Company. The plan has also been approved and directed to be consummated as soon as practicable by the United States District Court for the Eastern District of New York. Appeals from that approval have been taken to the United States Court of Appeals for the Second Circuit, which court has heard argument and has taken the matter under advisement. Upon consummation of the proposed consolidation the interest rate on the notes will become 2¼ percent for the remainder of the term.

Such declaration having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the declaration, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective, and deeming it appropriate to grant a request of declarant that the order become effective at the earliest date possible.

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50–4767; Filed, June 2, 1950; 8:47 a. m.]

[File No. 70–2394]

COLUMBIA GAS SYSTEM, INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of May 1950.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Columbia Gas System, Inc. ("Columbia"), a registered holding company. Declarant has designated section 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than June 9, 1950, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 9, 1950, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Columbia proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $110,000,000 principal amount of Debentures due 1975. The new Debentures will be issued under an Indenture dated as of June 1, 1950. The proceeds from the sale of the new Debentures will be used in part by Columbia to retire $14,000,000 principal amount of 1⅞ percent Serial Debentures and $77,500,000 principal amount of 3⅛ percent Debentures due 1971. The balance of such proceeds will provide funds for the continuance of Columbia's 1950 construction program.

Columbia desires to invite bids for such new Debentures on or about June 14, 1950, and to open the bids received in response to such public invitation on June 20, 1950. Accordingly, Columbia has requested that the Commission's order with respect to the issuance of the new Debentures be issued so as to permit the consummation of the financing on the schedule set forth above and such order permit shortening the period for inviting sealed bids to meet such schedule.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-4770; Filed, June 2, 1950; 8:47 a. m.]

[File No. 70-2399]

AMERICAN NATURAL GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May A. D. 1950.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by American Natural Gas Company ("American Natural"), a registered holding company. The filing designates section 7 of the act and Rule U-50 as applicable to the proposed transactions.

American Natural proposes to issue and sell 380,607 of its authorized but unissued shares of common stock without par value. American Natural states that on or about June 23, 1950, the stock will be offered to its common stockholders of record as of the close of business on or about June 21, 1950, at a price to be determined by the company. Such stockholders will be given rights to subscribe for one share of the additional common stock for each eight shares held and the further conditional privilege to subscribe for shares of additional common stock not purchased pursuant to the exercise of subscription rights plus any shares purchased by the company in connection with stabilizing transactions, as described below. If there is an insufficient number of shares to satisfy all subscriptions pursuant to the conditional privilege, the available shares will be alloted pro rata among those exercising the conditional privilege proportionately to the rights they have exercised.

One right will attach to each share of common stock of American Natural outstanding on the record date. Transferable warrants will be issued to evidence the rights and the accompanying conditional purchase privilege. The warrants will expire at 3:00 p. m., e. d. s. t., on July 11, 1950. The exercise of eight rights will be required to purchase one share of additional common stock, and no fractions of shares of additional common stock will be issued. Rights to purchase less than one share may be used in combination with similar rights representing in the aggregate one or more whole shares. American Natural proposes to enter into an arrangement with the National City Bank of New York, New York, Agent, pursuant to which the holder of a warrant, when forwarding or presenting his warrant to the Agent for exercise of his rights, may place an order, without charge, either to purchase such additional rights as are necessary for subscription to one full share of stock or for the sale of rights in excess of those necessary for subscription to a full share of stock. It is further stated that it will be possible to purchase or sell rights through the usual investment channels, and that it is contemplated that arrangements will be made for admission of the rights to trading on the New York Stock Exchange.

The warrants will be mailed to stockholders whose addresses of record are within the United States and Canada. As to all other stockholders, advice of the offering to holders of common stock will be given by air mail and the warrants held by the Agent for the account of such stockholders who may, prior to 3:00 p. m., e. d. s. t., on July 7, 1950, instruct the Agent as to the exercise, sale or other disposition of their warrants. After that date, in the absence of such instructions, all warrants held for such stockholders will, if practicable, be sold and the proceeds, if any, remitted to or held for the account of the respective stockholders entitled thereto.

American Natural proposes to sell at competitive bidding pursuant to the requirements of Rule U-50 any shares of its additional common stock not purchased through the exercise of rights or under the conditional privilege to purchase, described above. It is stated that American Natural proposes to file a Registration Statement on or about May 24, 1950, and will invite bids for the purchase of such stock as soon as practicable after the Registration Statement becomes effective and prior to any offering to holders of outstanding shares of American Natural common stock.

American Natural states that it may effect transactions on the New York Stock Exchange, in the open market, or otherwise for the purpose of stabilizing the price of its common stock. Stabilizing activities, if commenced, may be terminated any time but not later than one hour after the time fixed for the acceptance of a bid for the purchase of the unsubscribed stock. In connection with such stabilizing transactions, American Natural will at no time acquire a net long position in shares of its common stock in excess of 5 percent of the shares of additional common stock.

It is stated that the net proceeds from the sale of the additional common stock will be added to the corporate funds of American Natural to be used for corporate purposes, principally additional investments in the common stocks of its subsidiaries.

American Natural requests that the Commission's order issue herein on or before June 12, 1950, that it become effective forthwith, and that American Natural be authorized to shorten the 10-day notice period required by Rule U-50 to not less than 8 days.

Notice is further given that any interested person may, not later than June 8, 1950, at 5:30 p. m., e. d. s. t., request in writing that a hearing be held with respect to the application-declaration, stating the nature of his interest, the reason for such request and the issues of fact or law raised by said application-declaration which he desires to controvert or may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 8, 1950, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt the proposed transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-4763; Filed, June 2, 1950; 8:46 a. m.]